

PART 1. ADMINISTRATION

1. PRELIMINARIES

1.1. SHORT TITLE, JURISDICTION AND COMMENCEMENT

Short Title: These Regulations may be called the "Draft General Development Control Regulations 2034 (hereinafter (called these Regulations) of the ~~Draft~~ "Draft Development Plan 2034 (2nd Revision)" hereinafter called the Development Plan).

In addition to these General Regulations, Special Regulations shall be applicable for specific areas or land uses as may be specified from time to time.

Jurisdiction: These Regulations shall apply to Greater Mumbai excluding the jurisdiction of the Special Planning Authorities appointed by the State Government under Section 40 of the MR&TP Act.

Date of Commencement: These Regulations shall come into force on sanctioned by the State Government under Section 31 of the MR&TP Act. Provided that the Commissioner may apply the stringent of the provisions of these Regulations or the Development Control Regulations for Greater Mumbai, 1991 till the Draft Development Plan and these Regulations are sanctioned by the State Government under Section 31 of the MR&TP Act.

Transitional Arrangement: Section 46 of the MR&TP Act 1966 provides that the Planning Authority in considering application for permission shall have due regard to the provisions of any draft or final plan or proposal published by means of notice submitted or sanctioned under this Act.

Notwithstanding such provision it is clarified that from the date of publication of Greater Mumbai Draft Development Plan 2034 under Section 26 of the said Act till Its sanction under Section 31 of the said Act, following transitional provisions shall apply.

1. **Land Use Zones:** The stringent of Land Use Zones of DP 1991 and Draft DP 2034 shall prevail.
2. **Development of Land Reserved for Public Purposes:** The reservations from DP 1991 will continue to be in force, including those proposed to be deleted in the Draft DP 2034.
3. **Control of other Development:** All other aspects of development shall continue to be governed by the DCR 1991 including payments for premium as amended up to date till the Draft DP 2034 is sanctioned.

1.2. EXCEPTIONS

If there is a conflict between the requirements of these Regulations and those of any other rules or bylaws, these Regulations shall prevail. Action taken under the Regulations prior to these Regulations coming in to force shall be deemed to be valid and continue to be so valid unless otherwise specified. Provided that in respect of areas included in a finally sanctioned Town Planning Scheme, the Scheme Regulations for access provisions shall prevail excluding all other provisions, In case of a conflict between the requirements of these Regulations and the Scheme Regulations.

(MC Circular regarding Transit Policy)

2. INTERPRETATION

In these Regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neuter genders, the singular includes the plural and plural Includes singular. Writing" includes printing and typing and signature" includes thumb impression of a person unable to sign, provided that his name is written below such Impression.

Wherever sizes and dimensions of rooms and spaces within buildings are specified, they mean the clear dimensions, unless otherwise specified in these Regulations.

3. DELEGATION OF POWERS

Except where the Commissioner's special permission is expressly stipulated, the powers or functions vested in him by these Regulations may be delegated to any municipal official under his control, subject to his supervision if necessary and subject to such conditions and limitations, as he may prescribe, in these Regulations, the word "Commissioner" shall Include the relevant municipal official to whom Municipal Commissioner's powers are delegated from time to time.

4. DISCRETIONARY POWERS

a) In conformity with the intent and spirit of these Regulations, the Commissioner may

(i) Decide on matters where ~~It~~ it is alleged that there is an error in any order, requirement, decision, determination made by any municipal officer under delegation of powers under these Regulations or interpretation in the application of these Regulations and

(ii) Authorise the erection of a building or *the use* of premises for a public service undertaking for public utility purposes only, where he finds such an authorisation to be reasonably necessary for the public convenience and welfare, even if it is not permitted in any land use classification.

b) In specific cases where a clearly demonstrable hardship is caused, the Commissioner for reasons to be recorded in writing, by a special permission may permit any of the dimensions prescribed by these Regulations to be modified, except those relating to floor space Indices, ~~parking and required marginal open spaces unless otherwise permitted under these Regulations~~, provided that such relaxation will not affect the health, safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighbourhood.

5. DEFINITIONS OF TERMS & EXPRESSIONS

a) In these Regulations, unless the *context otherwise* requires, the terms and expressions shall have tie meaning Indicated against each of them in Annexure 5.1

b) Terms and expressions not defined in these Regulations shall *have* the same meaning as assigned to them in, MR&TP Act, 1966 (Mah. Act No, XXXVII of 1966) as amended up to date;

(i) MMC Act, 1888 (Mumbai Act No. III of 1888) and rules and bylaws framed there under, and *unless the context requires otherwise*;

(ii) The terms and expressions neither defined in these Regulations nor defined in (i) and ~~(ii)~~ above shall be interpreted with reference to the latest National Building Code in the relevant context.

PART 2. PROCEDURES OF DEVELOPMENT CONTROL

The purpose of this part is to

1. Explain the legal provisions related to control of development, procedures to be followed for seeking development permission including engagement of professionals for preparation of Development Proposals.
2. Explain the manner and the stages in which development permission will be granted and the manner in which the progress of execution will be monitored and
3. Lay down provisions for appeal and grievance redressal.

PART 2. PROCEDURES OF DEVELOPMENT CONTROL

6. DEVELOPMENT PERMISSION REQUIREMENTS AND PROCEDURE

6.1 DEVELOPMENT

Development as defined in the MR&TP Act means the carrying out of buildings, engineering, mining or other operations in or over or under, land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any heritage; building or its precinct and includes demolition of any existing building, structure or erection or part of such building, structure or erection; and reclamation, redevelopment and lay out and sub division of any land."

6.2 PERMISSION OF THE PLANNING AUTHORITY FOR CARRYING OUT DEVELOPMENT

As provided in Section 43 of the M R & T P Act, "No person shall institute or change the use of any land or carry out any development of land without the permission in writing of the planning Authority."

6.2.1 Exception:

Further as provided in Section 43 of the MR&TP Act, no such permission shall be necessary;

- a) for carrying out works for maintenance, improvement or other alteration without changing the internal approved layout of any building, being works which affect only the interior of the building or which do not materially affect the external appearance thereof except in case of heritage building or heritage precinct;
- b) for carrying out works in compliance with any order or direction made by any authority under any law for the time being in force;
- c) for carrying out works by any authority in exercise of its powers under any law for the time being in force
- d) for carrying out works by the Central or the State Government or any local authority of any works
- i) required for the maintenance or improvement of a highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street;
- ii) for the purpose of inspecting, repairing or renewing any drains, sewer lines, pipes. cable, telephone or other apparatus including the breaking open of any street or other land for that purpose;
- iii) provided that breaking open of any street shall be subject to prior NOC from Traffic Department of Mumbai Police wherever necessary and subject to prior payment of road reinstatement charges and permission from relevant Municipal Authority;
- e) for the excavation (including wells) made in the ordinary course of agricultural operation;
- f) for the construction of a road intended to give access to land solely for agricultural purposes;
- g) for normal use of land which has been used temporarily for other purposes;

- h) in case of land normally used for one purpose and occasionally used for any other purpose, for the use of land for that other purpose on occasions;
- i) for use for any purpose incidental to the use of a building for human habitation of any other building or land attached to such building.

6.2.2 Additional Exceptions

- a) The scope of 6.2.1(d) shall be extended to include carrying out works by other public utilities such as railways, metro-rail, mono-rail, public bus services, ports, jetties, airports, piped gas supply, electricity supply etc, for maintenance and operational purposes only.
- b) Tenatable repairs as defined in the Section 342 of the MMC Act.

6.3 PROFESSIONAL SERVICES

6.3.1.1 Professionals on Record

Any person intending to carry out development shall appoint following professionals to formulate development proposal in accordance with these Regulations, to supervise the execution of development works and to certify the completion of such works in accordance with the development permission, Professionals duly registered under appropriate law or with MCGM shall be appointed. Professionals appointed for a particular development project shall be called "*Professionals on Record*" for that particular project.

Table No. 1. List of Professionals to be appointed.

Sr. No.	Professionals on Record	Requirement
1	Architect OR Licensed Surveyor	Required for all proposals
2	Advocate or Solicitors	-----"
3	Site Supervisor	-----"
4	Structural Engineer	Where structural works is involved
5	Licensed Plumber	Where plumbing work is involved
6	Consultants for Rain water harvesting and management of Storm Water	Where rain water harvesting is proposed / required under Regulation No.33 of these Regulations
7	Consultant for Grey water Recycling	Required where grey water recycling proposed / required under Regulation No.35 of these Regulations
8	Consultant for Conservation of Energy	Where energy conservation measures are proposed / required under Regulation No.38 of these Regulations.

9	Consultant for Fire Safety measures	Where specific fire safety measures are proposed / required under Regulation No.28 of these Regulations.
10	Consultant for Heating, Ventilation and Air-conditioning (HVAC)	Where specific provisions for HVAC are proposed or provided
11	Consultant for Solid Waste Management	Where specific provision for solid waste treatment and disposal is proposed/required under Regulation No. 38 of these Regulations

Wherever Consultants as aforesaid are appointed there will be no need to obtain specific NOC on the subject mentioned at Sr. No. 6 to 11 in the Table No.1, for commencement of work and for completion.

6.3.2 Registration, Qualification, Duties and Responsibilities of Professionals

The qualification, duties, responsibilities and registration process of the above Professionals are prescribed in Annexure 6.1

6.3.3 Registration, Qualification, Duties and Responsibilities of Professionals

If "*Professionals on Records*" appointed by the applicant, based on whose certification building permissions are granted, ceases to be a Professional on Record for whatsoever reason, it shall be brought to the notice of the Commissioner immediately along with the detailed list of stages of works completed during his tenure. The permission granted by the Commissioner for the relevant part of the development formulated and being supervised shall cease to be valid and continue to remain ~~invalid~~ *invalid* till the replacement of such Professional on Record. Till such replacement, no further work of development formulated and to be supervised by the concerned Professional shall be undertaken. Any such work carried ~~cut-out~~ during such time shall be deemed to be unauthorised,

The Professional on Record who intends to relinquish his position as a Professional on Record shall submit his resignation along with the report for the stage of work carried out under his supervision. The new professional shall submit written consent to the commissioner agreeing to undertake the further work along with an appointment letter from owner/ developer and resignation of previous Professional on Record, Commissioner shall issue acceptance letter to the new Professional on Record with the stage of work already completed mentioned therein.

6.4 CERTIFICATIONS REQUIRED FOR HIGH RISE BUILDINGS

For various types of buildings classified according to their height, the structural design and stability certification to assure the design criteria and structural stability of the proposed building shall comply with the provisions as detailed in Regulation No.28 of these Regulations.

6.5 APPLICATION FOR DEVELOPMENT PERMISSION – FORM AND CONTENT

Any person not being Central Government or State Government or local authority intending to carry out any development on any land that requires permission under Regulation No, 6.2 above, shall make an

application in writing. Provided that when any Government intends to carry out development for the purposes of any of its departments or offices or authorities, the officer in charge thereof shall inform in writing to the Commissioner as prescribed in Annexure 6.2 in accordance with the provisions of sub Section (1) of Section 58 of the MR&TP Act. Further processing of the proposed development shall be in accordance with the provisions of Sub Section 2 to Sub Section 4 of Section 58 of the MR&TP Act.

Exception: *Provided that no such application will be necessary for demolition of an existing structure, erection of building or part thereof in compliance of a statutory notice from a Planning Authority or Mumbai Housing and Area Development Board, the Mumbai Repairs and Reconstruction Board or the Mumbai Slum Improvement Board established under the Maharashtra Housing and Area Development Act, 1976. Any demolition of structure shall ensure safety of adjoining structures and controlling nuisance on account of noise, dust etc. and shall be in compliance to the provisions of Part -7, Section 5 Safety in Demolition of Buildings, National Building Code as amended up to date.*

6.6 SUBMISSION OF APPLICATION FOR DEVELOPMENT PERMISSION

Application seeking permission for development shall be submitted following the provisions of Section 44 or Section 69 of the MR&TP Act. Such permissions will be processed in two stages.

Stage-1: ~~Planning~~-Layout Permission; ~~(In case of Layout)~~

Stage-2: Building Permission.

For the purposes of obtaining Stage-2 Building Permission, in addition to The Stage-1 ~~Planning~~ ~~Permission~~-Layout Permission, application shall be submitted under Section 337 or 342 of the MMC Act.

Stage 1: ~~Planning~~-Layout permission

Development involving any of the following shall require Stage 1: ~~Planning~~-Layout Permission.

- a) Change of User (In cases of plots located in Industrial Zones or existing Industrial user irrespective of the zone in which it is situated as provided under the Regulation No. 13.3.3 of these Regulations)
- b) Layout/Subdivision/Amalgamation (As per the Regulation No, 11 at these Regulations)
- c) Development Permission under accommodation reservation (As per the Regulation No, 17.1 Table No. 18 of these Regulations)
- d) Development permission for reservation categorized under non accommodation reservation (As per the Regulation No. 17.1, Table No. 17 of these Regulations)
- e) Development of plots designated for public purpose as per the Regulation No. 17.2 Table No. 19 of these Regulations)
- f) Grant of ~~TUR~~-TDR (As per the Regulation No. 16 of these Regulations)
- g) Utilization of TDR (As per the Regulation No. 16 of these Regulations)

h) Development of plots of Cotton Textile Mills (As per the Regulation No. SDCR 5 of Special Development Control Regulations these Regulations)

i) ~~Quarrying if permissible~~

j) ~~Reclamation If permissible~~

k) ~~i)~~ Development in Heritage Precincts (As per the Regulation No. SDCR 6 of Special Development Control Regulations these Regulations)

h) ~~i)~~ Cluster Development (As per the Regulation No. SDCR 2 of Special Development Control Regulations these Regulations)

The application for Stage 1: ~~Planning Layout~~ Permission shall be submitted to the office of ~~the Dy. Chief Planner Engineer (Development Plan)~~ as mentioned in Table 2 in the form prescribed in Annexure 6.3. along with accompaniments as prescribed in ,Annexure 6.4.

Stage 2: Building Permission

In case of development involving 'Construction demolition of building after obtaining ~~Planning permission~~Layout Permission, if required, application shall be submitted for Stage 2: Building Permission.

Form of application for seeking Building Permission' is given in Annexure 6.5 and the requirement of accompaniments are Listed in Annexure 6.6. The application for Building Permission shall be submitted at the offices stated below:

G DCR-2034

Table No. 2. Addresses of the Departments

Sr. No.	Location of proposed Development		Head of Dept.	Address
	Zone	Wards		
1	City	A, B, C, D, E, F/S, F/N, G/S, G/N	Dy. Ch. E.B.P.(City)	Dosti Acre, Vidyalankar Road, Walada Road, Walada (West), Mumbai – 400 037
2	Western Suburbs	H/E, H/W, K/E, K/W	Dy.Ch. E.B.P. ('W.S.- I)	First Floor, Bhaba Hospital Building, Bandra (West), Mumbai – 400 050
3	Western Suburbs	P/S, P/N, R/S, R/C, R/N	Dy.Ch. E.B.P. (W.S.- II)	Municipal Building, 'C' Wing, Sanskruti Complex, 90 Ft. D. P. Road, Kandivali (E), Mumbai – 400 001
4	Eastern Suburbs	L, M/E, M/W, N, S, T	Dy. Ch. E.B.P. (E.S)	Near Raj Legacy, Paper Mill Compound, LBS Marg, Vikhroli (W), Mumbai – 400 109
5	For all Government proposals in Greater Mumbai	All Wards	Dy. Ch. E.B.P. (Special Cell)	Ground Floor, Municipal Training Centre, Raheja Vihar Complex, Chandivali Farm Road, Chandivali, Andheri (E), Mumbai – 400 072

Note: The contents of above table is subject to change and latest information will be available on www.mcgm.gov.in

6.7 FEES, CHARGES AND PREMIUMS TO BE PAID FOR DEVELOPMENT PERMISSIONS

Fees, Charges and Premiums to be paid for development permissions along with the application and at various stages of development are prescribed in Annexure 6.7.

6.8 APPLICATION FOR PERMISSION FOR AMENDED OR REVISED PROPOSALS

6.8.1 Deviation during Construction

If during the construction of a building, any deviation from the sanctioned plans is intended by way or internal or external changes, sanction of the Commissioner shall be necessary. An amended or revised plans as mentioned in Regulation No, 6.8.2and 6.8.3 below showing the intended deviations shall be submitted, Any modification within the approved plans not resulting in increase in FSI, shall be regularized before grant of Occupation Certificate. Any deviation from sanctioned plan which results in increase in FSI and which is within approvable FSI and premium for which has been paid and/or TDR for the said increased FSI is purchased then the same shall be regularized by charging regularization premium as may be prescribed from time to time. Any work carried out in contravention to the sanctioned plans, without prior approval of the Commissioner, shall be deemed as ~~unautriorised~~-unauthorised.

6.8.2 Amended Proposal

Any time after sanction of the development permission, any change is proposed in the area or dimensions of the work without changing the FSI of that was approved earlier, the Architect shall submit amended plans for approval or payment of scrutiny fees for the amended proposal as mentioned in Annexure 6.7. ~~Alter-After~~ scrutinizing the amended plans with reference to these Regulations, ~~approval~~ approval to the amended plans will be granted with original or additional conditions by way of 're-endorsement' of ~~Planning-Permission~~ Layout Permission or Commencement Certificate (CC) as the case may be.

6.8.3 Revised Proposal

Any time after sanction of the development permission, any change is proposed in the area or dimensions of the work with change in the FSI of what was approved earlier, the Architect shall submit revised plans for approval on payment of scrutiny fees for the revised proposal as mentioned in Annexure 6.7. After scrutinizing the revised plans with reference to these Regulations, approval to the revised plans will be granted with original or additional conditions by way of fresh ~~Planning-Permission~~ Layout Permission or Commencement Certificate (CC) as the case may be.

6.9 COMMUNICATING DECISIONS IN RESPECT OF APPLICATION FOR ~~PLANNING-LAYOUT~~ PERMISSION.

The applications for ~~Planning-Layout~~ Permissions shall be scrutinized with due regard to the Development Plan and in compliance with these Regulations. The decision based on such scrutiny will be communicated in the form of;

- a) Refusal to grant ~~Planning-Permission~~ Layout Permission with reasons or
- b) Grant of '~~Planning-Permission~~ Layout Permission' with or ~~without~~ without conditions.

6.10 COMMUNICATING DECISIONS IN RESPECT OF APPLICATION FOR BUILDING PERMISSION.

The application for ~~building-Building~~ Permission shall be scrutinized with due regard to the Development Plan, conditions of ~~Planning-Permission~~ Layout Permission if any and for compliance with these Regulations. The decision based on such scrutiny shall be communicated in the form of:

- a) Refusal to grant Building Permission with reasons or
- b) Grant of I.O.D. under Section 346 of the MMC Act if the proposed development is found to be in conformity with these Regulations subject to conditions to be complied with before grant of CC under Section 45 of the MR&TP Act. IOD will be issued along with approved plans for the building. It will not entitle the applicant to commence the construction.
- c) 'Commencement Certificate' will be granted in stages to enable monitoring of construction work as per the approved plans. After compliance with the conditions at I.O.D. for grant of CC up to plinth/~~stilt/top podium~~, C.C. up to plinth/~~stilt/top podium~~ will be issued for commencement of work in accordance with the approved plans.

d) Further CC will be granted after checking of plinth or stilt or top of podium as per approved plans and on compliance of conditions of I.O.D. for grant of further C.C. If required, further C.C. may be granted in suitable stages for effective monitoring the development.

6.11 APPLICATION FOR OCCUPATION CERTIFICATE OF A BUILDING:

On completion of development, the Architect/Licensed Surveyor shall submit Building Completion Certificate (B.C.C) on obtaining 270 certificate in the form of a Notice in Schedule T of Section 353A of MMC Act along with the required documents listed below:

6.11.1 Certificates from MCGM Depts.

Certificate of compliance of conditions of NOC's given by respective departments where applicable

- a) Chief Engineer (Storm Water Drainage),
- b) Hydraulic Engineer,
- c) Chief Engineer (Roads),
- d) Chief Engineer (Sewerage Projects),
- e) Asst. Commissioner (Estates)
- f) Pest Control Officer In case of provision of bore-well,
- g) Chief Fire Officer,
- h) Assistant Assessor & Collector of respective Ward,

6.11.2 Certificates from Professionals on Record.

Following compliance certificates shall be submitted as may be applicable

- a) Structural stability certificate from Structural Engineer.
- b) Drainage Completion Certificate including smoke test by licensed plumber.
- c) Site Supervisors Completion certificate.
- d) Completion certificate for Rain Water Harvesting System from Consultant.
- e) Completion certificate for Energy Conservation Systems from Consultant.
- f) Completion certificates from other professionals on record.

6.11.3 Certificates from other agencies.

Following compliance certificates shall be submitted as may be applicable

- a) NOC from the Competent Authority under the Urban Land (Ceiling & Regulation) Act where required.
- b) Transferring setback area in the name of M.C.G.M, and submission of separate P.R. Card.

- c) P.R. Card for amalgamated and/or subdivided plots in the name of applicant.
- d) Final N.O.C. from MHADA wherever required,
- e) Lift Inspectors completion certificate.
- f) Certificates required from any other authority If applicable.

6.12 COMMUNICATING DECISIONS IN RESPECT OF APPLICATION FOR OCCUPATION PERMISSION.

The B.C.C. submitted by the Architect/Licensed Surveyor along with its accompani-ments shall be scrutinized and the site will be inspected. The decision based on such scrutiny and site inspection shall be communicated in the form of;

- a) Refusal to grant Occupation Permission with reasons or
- b) Grant of 'Occupation Certificate' with conditions to be complied with.

6.12.1 Occupation Certificate (O.C.)

Grant of O.C. shall mean building is ready for occupation for the purpose for which Commencement Certificate was granted, subject to obtaining water connection under Section ~~210A~~-270A of the MMC Act.

6.12.2 Part Occupation Certificate (Part O.C.)

In case of Redevelopment of existing structures involving rehousing of existing occupants, or in case of building with multiple wings, development can be permitted ~~in~~ phases as well as part O.C. may be granted according to the phased programme approved by the Commissioner.

6.12.3 Acceptance of Building Completion Certificate (B.C.C.)

On securing water Connection/certification for provision of adequate water supply to the premises under Section 270A of the MMC Act, the Architect/ Licensed Surveyor may apply for final acceptance of B.C.C. and refund of deposits if any.

6.13 SCOPE OF PERMISSION

- a) Grant of ~~I.Q.D.I.O.D.~~, CC., O.C. or acceptance of BCC. by the Commissioner shall not be construed as acceptance of correctness, confirmation, approval or authorization of ownership, title or easement rights of the building as well as land over which building is proposed;
- b) Grant of I.O.D, C.C., C.C. or acceptance of B.C.C. by the Commissioner shall not render the Commissioner liable to any claims or compensation arising on account of any injury, damages, loss of materials and/or life occurring during the development work in and around the site of work. It shall wholly and solely be the liability and responsibility of person/s undertaking such development. The Commissioner shall under no circumstances be held responsible for such occurrences and the applicant/ owner/project proponent shall indemnify the Corporation by written consent before commencement of any work on site in the prescribed form as per Annexure 6.8.
- c) Neither the grant of permission nor approval of the drawing and specifications nor inspections by the Commissioner during erection of the building, shall ~~in~~ ~~in~~ any way relieve the applicant/owner/project proponent of such development from full responsibility for carrying out the work ~~in~~ ~~in~~ accordance with these Regulations, provisions of National Building Code and provisions of Bureau of Indian Standards.

- d) The construction, sale, management and transfer of dwelling units on ownership basis shall be regulated by the Housing Regulatory Authority (HRA") and Housing Appellate Tribunal ("HAT") formed under Maharashtra Housing (Regulation and Development) Act, 2012.
- e) Permission granted under these Regulations shall be deemed to have been revoked on revelation of any false representation in any form by the owner/applicant/Professionals on Record.

6.14 VALIDITY OF PAST PERMISSION

If CC. under Section 45 of the MR&TP Act has been issued before the date of publication of these Regulations, but the development is not started within ~~a-four years~~ from the date of issue of such CC, the said C.C. shall lapse as provided under Section 48 of the MR&TP Act. If ~~after~~^{after} issue of IOD, the CC is not granted within a period of one year under Section 45 of the MR&TP Act, ~~the~~ I.O.D. shall ~~lapse-lapse~~ and fresh application for development permission will have to be made under these Regulations. Where development has commenced within one year of C.C. issued prior to publication of these Regulations, the C.C. when required will be revalidated till completion of development in accordance with the C.C. already granted without requiring compliance with these Regulations.

Comment [S1]: Write to Government regarding amending the Section 346 of MMC Act to incorporate validity of IOD as 3 years.

7. MONITORING DEVELOPMENT: BEFORE GRANT OF PERMISSION

7.1. SITE INSPECTION BEFORE GRANT OF ANY PERMISSION

On submission of Proposal for Development Permission, the Commissioner shall inspect the site along with the Architect/L.S., and the Applicant and will prepare a "Initial Site Inspection Report" as per the format given in Annexure 7.1.

7.2. ~~DEMARCATIION~~DEMARCATIION OF LANDS FOR PUBLIC AMENITIES ON SITE OF WORK

After initial scrutiny and calculations for the requirements of the Amenity Spaces and Roads, as per the Regulation No. 11.4 of these Regulations, the Architect/L.S. shall get confirmation of physical positions of the Reservations/Designations/Roads/Amenity Spaces on site of work by obtaining their physical demarcation from the Commissioner before issue of CC beyond plinth/stilt/top podium. However, prior to such physical demarcation, the Architect/LS. shall get the plot boundaries duly authenticated on site from the office of respective City Survey Officer/ District Inspector of Land Records (DILR).

8. MONITORING EXECUTION OF DEVELOPMENT: AFTER GRANT OF PERMISSION

8.1. NOTICE OF COMMENCEMENT OF WORK

The owner shall give notice to the Commissioner of his intention to start the development at the work site on receipt of C.C., as per the details given in Annexure 8.1. The Owner may start the work after 7 days have elapsed from the date of the service of such notice to the Commissioner or earlier, if so permitted.

8.2. SITE INSPECTIONS

The Commissioner may at anytime during erection of a building or the execution of any work or development make an inspection thereof without giving previous notice of his intention to do so.

8.3. CHECKING OF PLINTH

The owner through his Licensed Surveyor or Architect shall give notice in a manners given in Annexure ~~8.2~~ to the Commissioner on completion of work up to plinth level along with the plinth height using altimeter/GPS techniques/~~fly by~~ flying levels ~~from~~ authentic Municipal Benchmarks ~~in~~ the locality to enable the Commissioner to ensure that the work conforms to the sanctioned plans. The permanent benchmark with respect to the "Town Hall Datum" shall be preserved on site in concrete or steel which shall be available for Inspection during as well as on completion of work. The Commissioner may inspect the work jointly with the licensed Surveyor/Architect within fifteen days from the receipt of such notice and either grant or refuse permission for further construction, in the manners given in Annexure 8.3. If within this period, the permission is not refused, it shall be deemed to have been granted, provided the work is carried out In accordance with the sanctioned plans.

Comment [M2]: New condition

8.4. MONITORING OF PHASED DEVELOPMENT

In case of development of layouts or in case of building with multiple wings or redevelopment involving rehousing of existing occupants, phased program of interpretation shall be submitted as provided for in Regulation No 11.3. Monitoring and execution such cases will be with reference to such phased program.

8.5. HANDING OVER OF RESERVATION/ DESIGNATION/ AMENITY SPACES/D.P. ROADS/ LAYOUT ROADS AND BUILT-UP AMENITIES UNDER ACCOMMODATION RESERVATION TO M.C.G.M.

The Reservation/Designation/Amenity Space/D. P. Roads, Layout Roads and Built-up Amenities under Accommodation Reservation which are required to be handed over free of costs to the M.C.G.M, as per the conditions of C.C. and/or conditions of ~~planning layout~~ permission, shall be handed over to the M.C.G.M. ~~The permission for construction shall be restricted withheld for an area equal to area required to be handed over free of cost to MCGM. before completing construction of built up area upto FSI 1.00 or before completing construction upto 50% of the permissible base FSI whichever is higher.~~ For such areas, ~~handing over , transfer of land to in the name of~~ the M.C.G.M. ~~along with the Title Certificate from the Advocate certifying clear and marketable title of such areas which are being handed over to Corporation on Property Registered Cards with area in figures and words~~ shall take place before submission of B.C.C. and requesting O.C. for the building or any of the buildings.

However, in case of Centre Government Land/Lands belonging to the Centre Government / Centre Government Authorities, the condition of transferring such land in MCGM / Appropriate Authority name in the revenue records shall not be insisted. Such lands shall be handed over to MCGM /Appropriate Authority for public purposes.

8.6. STOP WORK NOTICE

Where any development is carried out by any person without approval or in contravention to the development permission, the Commissioner may issue stop work notice as required under Section 354(A) of the ~~MMC~~ Act, to restore the development as per the approval or to its conditions existing prior to the said development took place.

8.7. WITHDRAWAL OF STOP WORK NOTICE

On issue of stop work notice as described In the Regulation No. 8.6 above, the person aggrieved by such notice shall apply for the permission as required under Regulation No.6.8 of these Regulations read with Section 44 or Section 69 of the MR&TP Act, for retention/regularisation of tie work so carried out.

The stop work notice as described in Regulation No. 8.6 of these Regulations stands withdrawn only after the permission so applied for the aforesaid development is granted, the work so carried out without or beyond the approval is regularised by the Commissioner by charging penalty as per the policies of MCGM in force from time to time and as provided in the Section 53 of the MR&TP Act or on restoring the development in consonance with the approval granted.

8.8. ACTION FOR NON COMPLIANCE OF STOP WORK NOTICE

On non compliance of provisions of Regulations No. 8.6 and 8.7 of these Regulations, the Commissioner may prosecute owner and such Professionals on Record and persons who are directly or Indirectly responsible for such unauthorized development, as provided under Section 52 and 53 of the MR&TP Act,

8.9. SAFETY PRECAUTIONS WHILE BUILDING UNDER CONSTRUCTION AND LIABILITY FOR ENSURING SAFETY PRECAUTIONS DURING CONSTRUCTION:

It shall be the responsibility of the Applicant/Owner/Developer and the respective Professionals on Records appointed by the Applicant/Owner/Developer, to ensure all the necessary safety measures are taken on site as directed in the Part-7 Constructional Practices & Safety, National Building Code of India, as amended up to date.

Grant of LO,D./C.C/O.C. or issuance of any written instructions to ensure public safety or reduce nuisance/inconvenience, does not tender M.C.G.M. liable for any injury, damages or loss whatsoever that may be caused to anyone in and around the construction area.

8.10. DOCUMENTS AT SITE

The person to whom permission is issued shall during construction, keep-

- a) Posted in a conspicuous place, on the site for which permission has been granted, a copy of I.O.D, as per Section 346 of the MMC Act & the C.C. issued under Section 45 of the MR.&T.P. Act;
- b) Copies of the approved drawings (amended up to date) and specifications of work;
- c) Copies of various remarks obtained from various departments related to the development; and
- d) List of Professionals on Record with their contact details.

8.11. RESULTS OF TESTS

Where tests of any material are made to ensure conformity with the requirements of these Regulations, record of the test data shall be kept available for inspection during the development and for such period thereafter as required by the Commissioner.

9. APPEAL PROCEDURE

9.1. APPEAL PROVISIONS

If the Owner or Architect/Licensed Surveyor on Record feels aggrieved by the decisions in respect of his application for Development Permission, he may appeal to the Commissioner for the redressal of his grievance in form given in Annexure 9.1. The Commissioner if felt necessary may refer the

matter to the grievance redressal committee mentioned in Regulation No. 9.2 below subject to payment of fees by the appellant as listed In Annexure 6.7.

9.2. GRIEVANCE REDRESSAL

The Grievance Redressal Committee constituted by the Commissioner shall comprise non-official expert members. The committee after granting an opportunity of being heard to the appellant and the concerned MCGM official, shall suitably advise the Commissioner in the matter within a **period of** ~~sixty days~~ ~~fifteen days~~ from the date of reference to the committee.

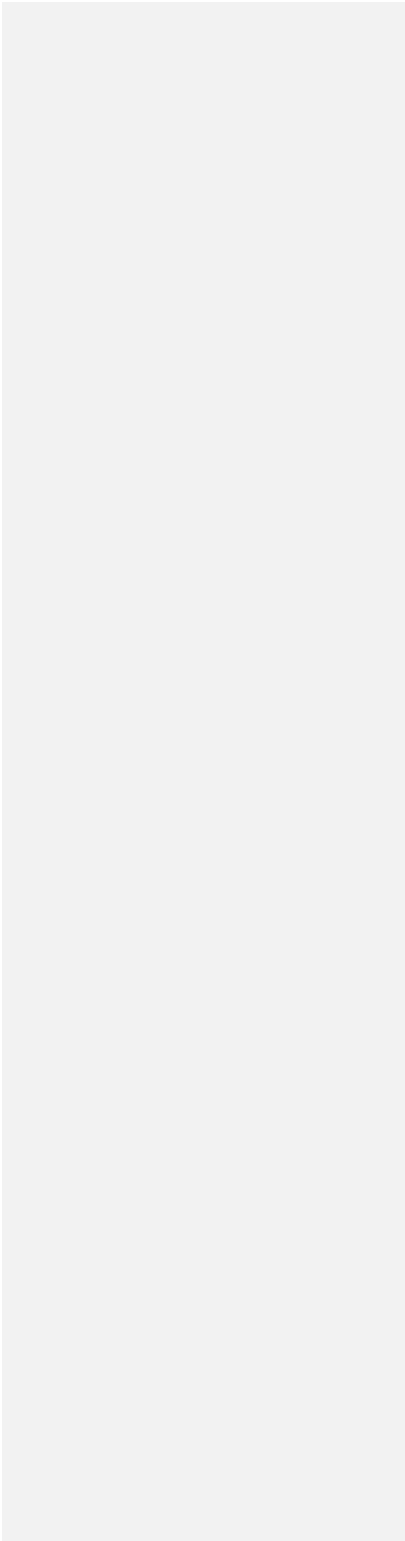
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9.3. DECISION UNDER APPEAL

The Commissioner will communicate to the appellant his decision along with reasons recorded in writing within 15 working days of the date of receipt of the report of the Grievance Redressal Committee.

PART 3

The Purpose of this part is to describe the provisions of Public Streets, requirements of access, requirements of layout and subdivision and requirements of sites for being suitable for building constructions.



PART 3. PUBLIC STREETS. MEANS OF ACCESS AND LAYOUTS

10. PUBLIC STREETS & MEANS OF ACCESS

10.1. RIGHT OF WAY OF PUBLIC STREETS AND D.P. ROADS AND ITS SPACE ALLOCATION.

The public streets, sanctioned R.Ls under the MMC Act and the roads provided for in the Development Plan shall have allocation of Right of Ways for footpaths, carriageways and *road divider/ median as stated in* Table No. 3 below-

Table No. 3 ~~Allocation of Right of Way~~ Allocation of Right of Way at way for Carriageway, Footpath and Median.

Sr. No.	Carriageway	Footpath -	Carriage-way	Divider
1	6.10 M	Nil	6.10 M	Nil
2	39.15M	One-side 2.15 1.5 M	7.00M- Two Lanes,	Nil
3	12.20 M	Two Side 2.1.50 M	7.20 M - Two Lanes	Nil
4	13.40 M	Two-Side 3.1.00-50 M	7.40 M - Two Lanes	Nil
5	18..30 M	Two Side 3.1.00-50 M	12.30 Four Lane	Nil
		OR		
		Two- Side 2.1.15-5 M	14.00 M - Four Lanes	Nil
6	27.45 M	Two- Side 3.1.00-5M M	21.00 M -Six Lanes Divided	0.45 M
7	3030 M	Twa- Side 430-3 M	2100 M - Six Lanes Divided	0.50 M
8	36.60 M	Two- Side 43.00M	28.00 M - Eight Lanes Divided	0.60 M
		OR		
		Iwo- Side 730M6M	21.00 M - Six Lanes Divided	0.60 M
9	45.75 M	Two- Side 7.50M (With Cycle Track)	30.00 M - Eight Lanes Divided with Exclusive Bus Lanes	0.75 M

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The total width of footpaths shall be maintained. The width of individual footpath on one side of road could be widened in certain cases to accommodate features like cycle track or street vendors as may be decided by the Commissioner. Allocation of Right-of-way shown in the table above may be varied in favor of footpaths In TOD area/areas of heavy pedestrians movement and where there is propensity of street vending. In exceptional cases, the Commissioner may make changes in the above table. Provisions of arcades within the plot boundary as required under Special Regulation No. SDCr 7 of these Regulation shall have mandatory right of access for public use at all times. The provisions given above table is illustrated In cross sections of the roads as shown below:

Figure No. 1. Allocation of Right of way for 6.10 M Road

Figure No. 2. Allocation of Right of way for 9.15 M Road

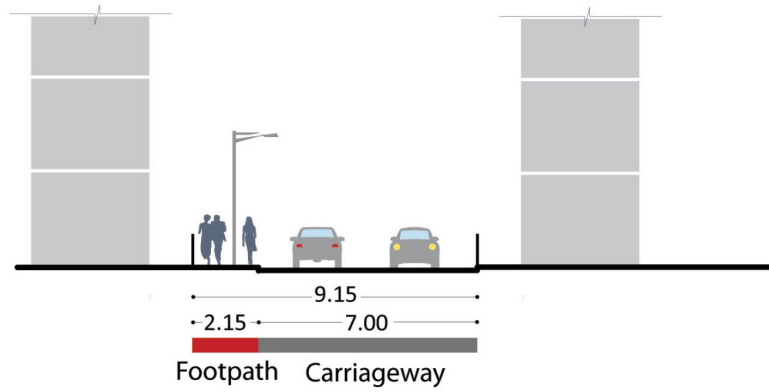


Figure No. 3. Allocation of Right of way for 12.20 M Road

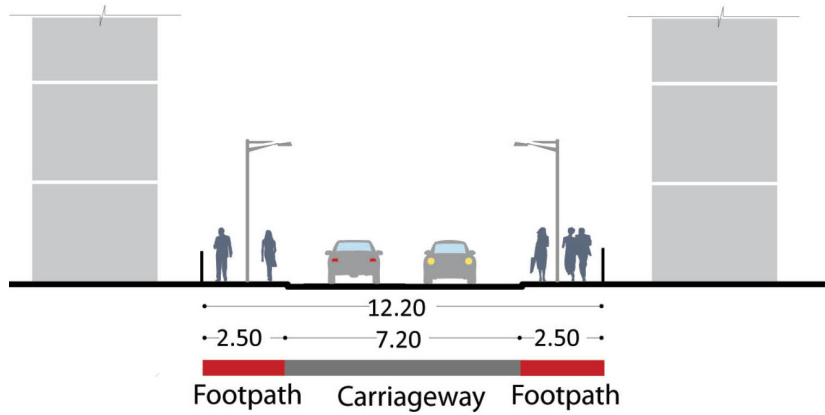
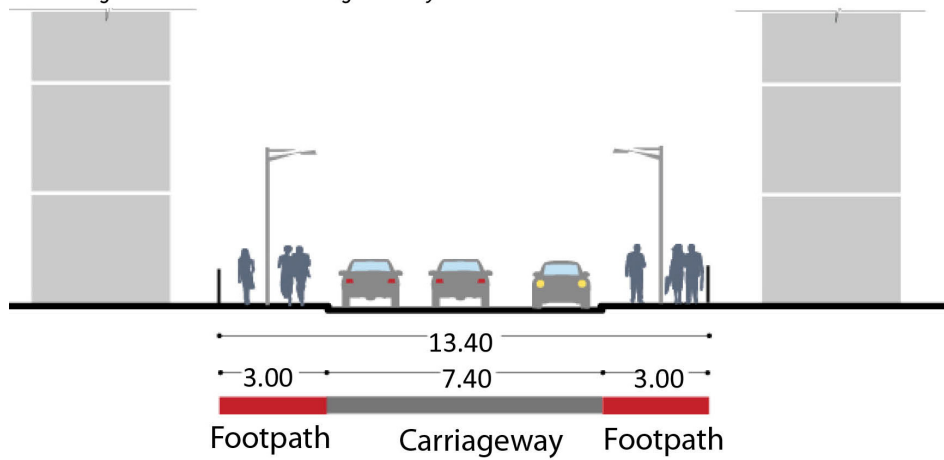


Figure No. 4. Allocation of Right of way for 13.40M Road



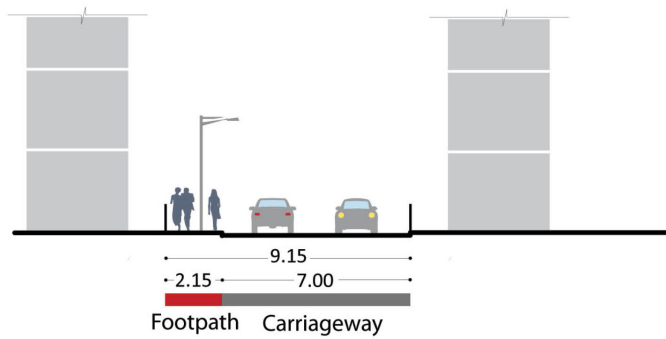


Figure No. 3. Allocation of Right of way for 12.20 M Road

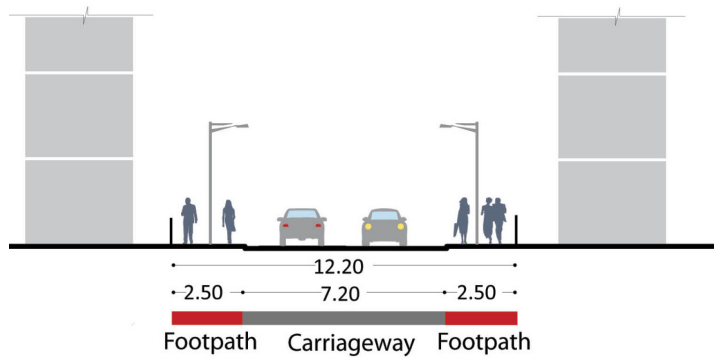


Figure No. 4. Allocation of Right of way for 13.40M Road

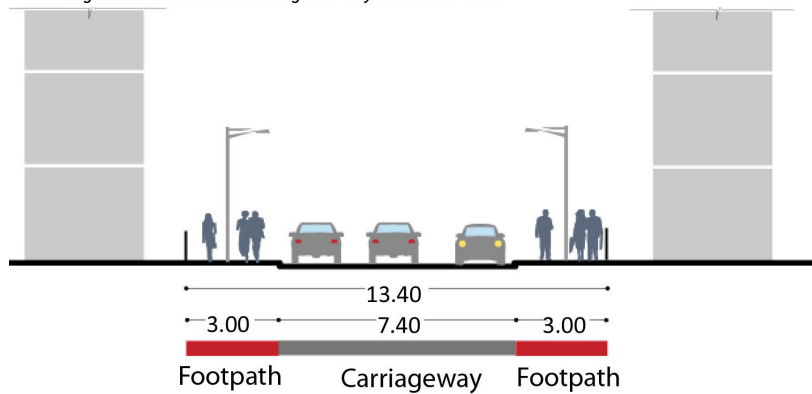


Figure No. 5. Allocation of Right of way for 18.30M Road (Alternative 1)

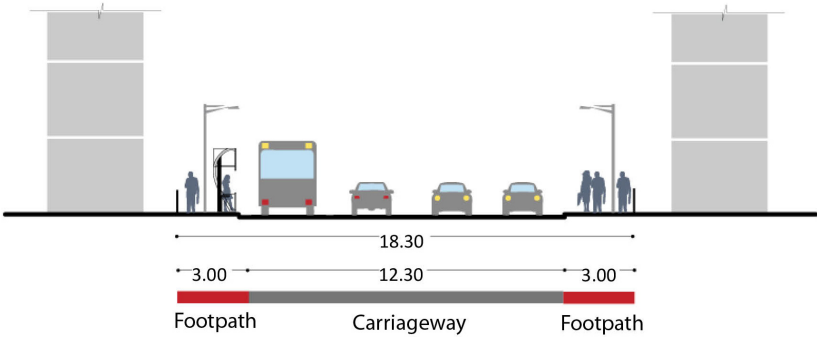


Figure No. 6. Allocation of Right of way for 18.30M Road (Alternative 2)

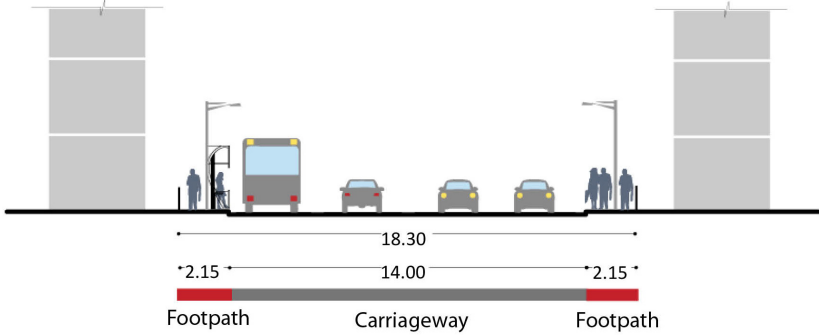


Figure No. 7. Allocation of Right of way for 27.45M Road

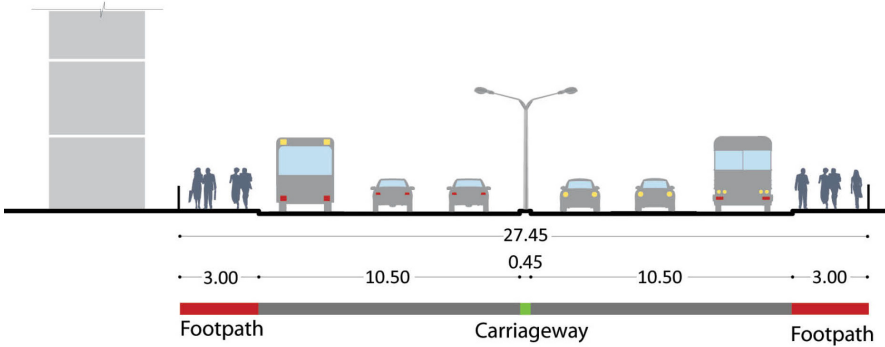


Figure No. 8. Allocation of Right of way for 30.50M Road

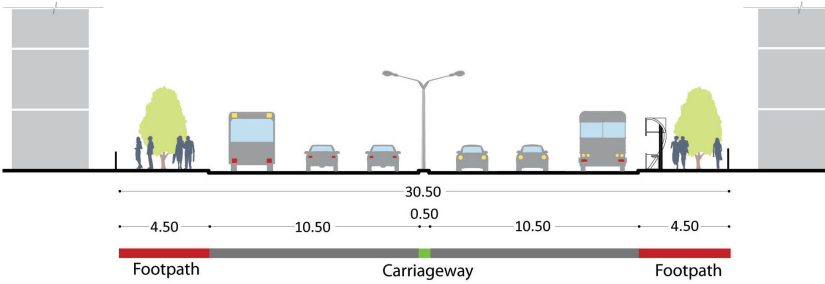
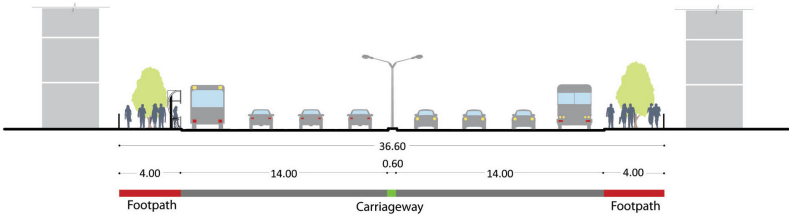


Figure No. 9. Allocation of Right of way for 36.60M Road



For road 36.60 m
OR

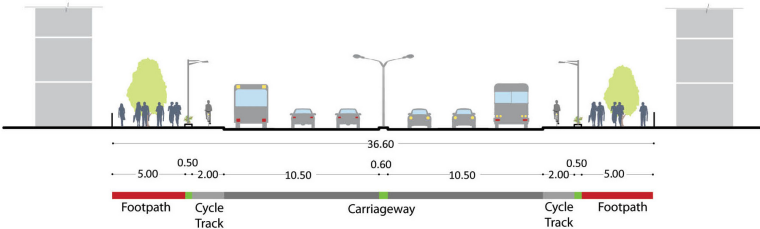


Figure No. 10. Allocation of Right of way for 45.75M Road

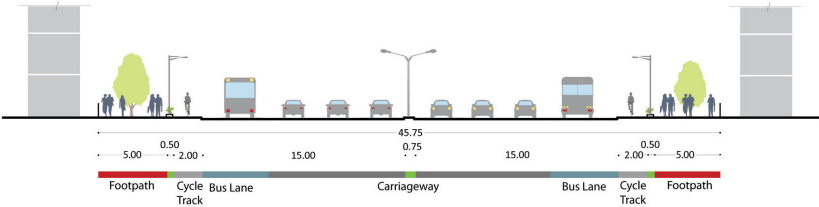


Figure No. 11. Street edge design section



10.2. ALIGNMENT OF ROADS

10.2.1. DP Roads

The alignment of ~~DR~~-D.P. Roads shall be subject to actual demarcation on site by the Commissioner.

10.2.2. Sanctioned Road Lines (R.L.)

The alignment of sanctioned R.L., as shown on the Development Plan or sanctioned after publication of these Regulations, shall be as per the detailed drawing for the said R.L. and the same shall be subject to actual demarcation on site by the Commissioner.

10.2.3. Conflict between D.P. Road and R.L.

If the proposed D.P. Road overlaps by R.L. sanctioned prior to these Regulations, if any, then the alignment of D.P. Road as reflected on Development Plan shall prevail.

10.2.4. Conflict between Existing Site Condition and Development Plan Roads

In conformity with the intent and spirit of these Regulations, the Commissioner may Interpret the provisions of these Regulations where;

- a street layout actually on the ground varies from the street layout shown on the Development Plan.
- where it is noticed that the alignment of road is not feasible on ground.

10.3. HIGHWAYS AND WIDER ROADS

No site except these proposed to be used for highway amenities like fuel stations, shall have direct access from a highway or roads with 52.00 M or more In width. Provided that this shall not apply to any lawful development along the highways and other roads with 52.00 M or more in width, which have existed before these Regulations have come into force.

The plots which do not have any provision for access in the Development Plan and which abut the Highways or roads with 52.00 M or more in width, may derive access from Highway or roads with 52.00 M or more in width subject to NOC from the Highway Authority/appropriate authorities. However, no commercial activities shall be permitted in such development, unless it derives access from a dedicated service road of such Highways or roads with 52.00 M or more in width.

10.4. INTERSECTION OF ROADS

For inter-section of roads meeting at right angles, as well as other than at right angles, the rounding off, cut-off or splay or similar treatment shall be done as directed by the Commissioner depending upon the widths of the roads, the traffic generated, the sight angle, etc. to provide clear sight distance. For this purpose following arrangement may be considered satisfactory.

Figure No. 12. Road intersection at right angle.

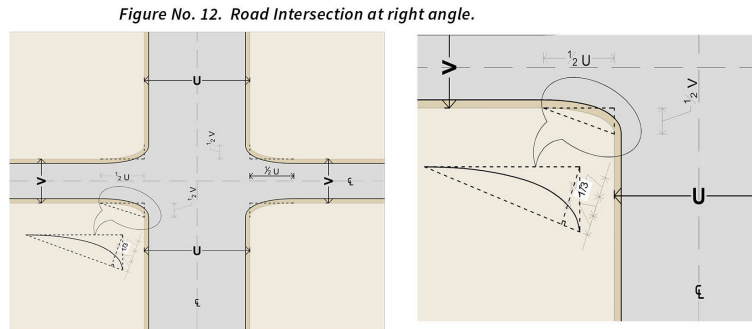


Figure No. 13. Road Intersection at an angle between 35-90 degrees

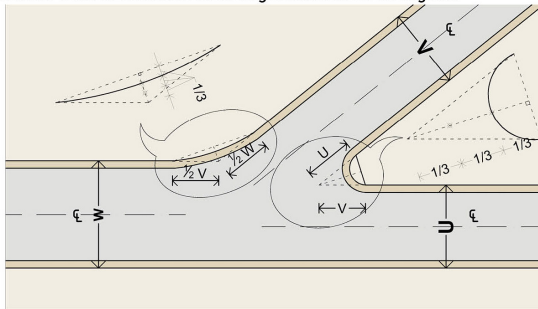
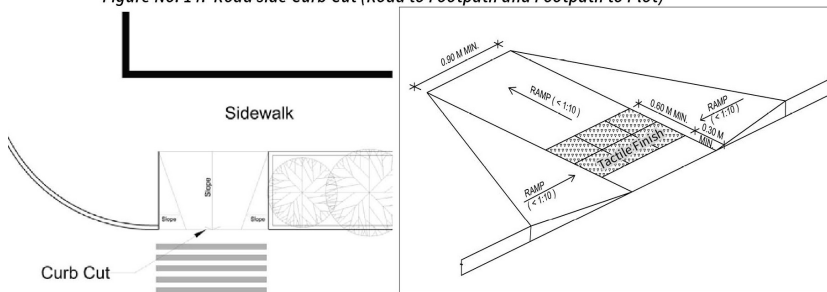


Figure No. 14. Road side Curb Cut (Road to Footpath and Footpath to Plot)



10.5. CURB CUT

The above diagram illustrates the curb-cut near an intersection of roads. The width of the side walk as shown in the above sketch shall not be less than 2.00 M where footpaths are wider than 2.50 M. Where the footpath is less than 2.50 M in width the sloping

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portion of the curb-cut shall not be longer than 0.30 M.

Similar provisions shall apply for curb-cuts provided for deriving vehicular access from the carriage-way to the adjoining building site where the sloping portion, if required, shall be provided within the plot boundary. In no case the sloping portion of the curb-cut shall extend into the carriage-way or disturb the Level of the footpath as stated above.

10.6. REQUIRED WIDTH OF ROAD IN RELATION TO HEIGHT AND USE OF BUILDING:

The plots containing buildings of various heights or special types of buildings shall abut roads of minimum right of way as given in Table No. 4 below. Such street shall join another street of equal or greater width,

Table No. 4. Width of access required for various building heights and occupancies.

BUILDING TYPE	Maximum Permissible FSI or Building Height		Minimum width of Road Required
	Permissible FSI	Maximum Height	
Low Rise	3.50	Up to 30.00 70.00 M	6.10 6.00 M
High Rise-I	3.50	Above 30.00 70.00 M up to 70.00 120.00 M	9.15 9.00M
High Rise II	5.00	Above 70.00 120 M M up to 120.00 M & above	13.40 12.00 M
High Rise-III	6.50	Above 120.00 M	18.30 13.40 M
Special/Assembly Building	-	For Height up to 30.00 M	13.40 9.00 M
Special/Assembly Building	-	For Height above 30.00 M	18.30 12.00 M

For FSI of 5.00 and above, the plot shall either abut the road with minimum road width as given in Table No.4 above or shall leave the open space abutting the road to achieve the minimum width of the road. such wider road shall be accessible within a distance of 250.00 M. Roads of lesser width as provided in the sanctioned T.P. Schemes and in Improvement Trust Schemes shall be considered adequate for Low Rise building, subject to NOC from Chief Fire Officer, Notwithstanding anything contained above, for FSI 5 and above, the existing roads or as proposed in development plan shall be considered adequate.

In case of plot owners along the entire stretch of a road which is narrower than the road with specified in the above Table No. 4, simultaneously handovers the land required for widening of road as required for

Comment [S4]: To finalize height and width after consultation with experts. Column regarding 8.00 FSI to be added

the FSI given In Table No. 4 above, the plot owners will be allowed to avail of the permissible FSI as stated in Table No. 4 above, provided that the width of the stretch proposed to be widened in such fashion is not more than the width of one of the road to which it connects.

Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall be less than 4.50M in width. The entrance gate shall fold back within the plot or slide along the compound wall of the premises, thus leaving the access way within the plot free for movement of fire engine/fire service vehicles. In no case the entrance gate shall open obstructing the access road. If the main entrance is built over, the minimum height clearance shall be 5.50M.

10.6.1. Other buildings

a) If an access through a *built over* arch is proposed for new developments, it shall have a height of not less than 5.50 M and minimum width of 4.50 M or as prescribed elsewhere in these Regulations.

b) Buildings of height upto 30.00M and occupancies not mentioned in Table No. 4 above shall abut streets of minimum width of 6.10M. Such streets may be streets over which the public have a customary right of access.

c) In exception to the above, development may be permitted as provided in Table No. 4 above on any existing street not less than 3.60M in width which is proposed to be widened either in Development Plan or by Sanctioned Regular Line of street under the MMC Act, subject to approval from Chief Fire Officer.

d) The access requirements in Gaothan areas are as specified in Regulation No. 26 of those Regulations.

10.7. INTERNAL MEANS OF ACCESS TO EACH PLOT

Minimum access width vis-à-vis the area served - Plots which do not abut on a street shall abut/front a means of access, the width and other requirements of which shall be as given hereunder:

Table No. 5. Width of internal access required for proposed development

Access length in meters (M)	Permissible Built up Plot Area (Sq.M)			
	Upto 4,000	Above 4,000 to 10,000	Above 10000 and above to 20,000	Above 20,000
Less than 6.00	6.00	7.50	9.00	12.00
15.00 to 7.50	7.50	7.50	9.00	12.00
above 150,00 & above to 300,00	9.00	9.00	9.00	12.00
Over 300,00	12.00	12.00	14.00	12.00

Straight cul-de-sacs upto 150.00 M length *are* permissible. An additional length upto 125.00 M will be permitted, if an additional turning space *s* provided at 150.00 M. The turning spaces in each case, should not be less than 144.00 Sq. M *in area*, no dimension being less than 12.00 M.

10.8. ACCESS TO LAND-LOCKED PLOTS

In the case of a plot, surrounded on all sides by other plots i.e. a land-locked plot which has no access to any street or road, the Commissioner may require access through an adjoining plot or plots which shall, as far as possible be nearest to the public street. The cost of land acquisition and development of such access shall be borne by the owner of land-locked plot and subject to other conditions prescribed by the Commissioner. Alternatively if the owner of the adjoining plot, which is accessible from public street, is willing to provide right of access to such land-locked plot then the same may be permitted from the required marginal side open space of the building on such adjoining plot subject to compliance of provisions under Table No.5 above.

10.9. MINIMUM WIDTHS OF PATHWAYS UPTO BUILDINGS

The approach to a building from a road/street/Internal means of access shall be through a paved pathway of width specified in Table No, 6. The length of access-way shall be determined by the distance from the farthest building on the plot to the internal road proposed or to an existing road from which it takes off.

Table No. 6. Minimum widths of Pathways

Length	in	Width	in
Upto 50.00 M		3.50	
Above 50.00		4.50	

10.10. MEANS OF ACCESS TO BE CONSTRUCTED AND MAINTAINED

- a) **General-** Means of access shall be levelled, metalled, concreted/tarred, flagged, paved, sewerred, drained, channelled, provided with street lights and water supply line and with trees for shade as directed by the Commissioner. They shall be free of encroachment that may reduce their width below the minimum required by these Regulations and shall be maintained in condition considered satisfactory by the Commissioner.
- b) **Private Street-** if any private street or other means of access is not constructed or maintained as specified in sub-clause(1) above, the Commissioner may, by written notice, direct the owner or owners of the several premises fronting or adjoining the said street or *other means of access* or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed, to carry out any or all of the aforesaid requirements in such manner and within *such time as he shall direct*. *If the owner or owners fail to comply with this* direction, the Commissioner may arrange for its execution and recover the expenses incurred from the owner or owners.

11. REQUIREMENTS OF LAYOUT & SUB-DIVISION/AMALGAMATION OF PLOTS

11.1. CIRCUMSTANCES WARRANTING PREPARATION OF A LAYOUT OR SUB-DIVISION/AMALGAMATION PLAN

A plan for layout or subdivision /amalgamation of plots shall be required in the following cases.

- a) When more than one building (except an ancillary building that is not proposed for habitation) are proposed on any land:
- b) When development of any tract of land includes its division or subdivision into plots.
- c) When the land under development admeasures ~~2,000~~ 4000 Sq.M. or more provided more than one building is proposed.
- d) When the development is proposed by amalgamating two or more plots.

11.2. GENERAL REQUIREMENTS FOR PROPOSALS OF LAYOUT OR SUB-DIVISION/AMALGAMATION OF PLOTS

A plan for layout or subdivision/amalgamation of plots shall be submitted along with the application for the ~~Planning Permission~~ Layout Permission clearly showing the following:

- a) All the sub-plots within the layout shall be accessible directly or indirectly to the public road.
- b) All the Reservations/Designations/D.P. Roads/Sanctioned R.L. shall be shown on the layout plan.
- c) All other constraints existing on site or by virtue of any other Regulations/Law/ Directives shall be clearly reflected in the layout plan which may affect the future land-use.
- d) Area for public amenities in the layout shall be marked as per the provisions of Regulation No. 11.4 of these Regulations.
- e) Minimum road width within the layout shall be governed by the Regulation No.10.7 of these Regulations.
- f) In case of proposals within partially developed layouts where plots are not sub divided, if the developer intends to develop the layout with a view to avail of development rights according to the FSI prescribed in these Regulations, the additional development rights permissible will be arrived at as prescribed below:
 - i) Total permissible development rights for the layout will be computed at the Permissible FSI of these Regulations.
 - ii) The development rights consumed in the buildings under construction or completed shall be computed from the approved plans according to these Regulations.
 - iii) Balance development rights permissible in the layout shall be equal to the difference between 'i' and 'ii' above. ~~However, for claiming balance development rights, NOC from the society of the plot holders in layout or federation of layout plot owners and land owner is necessary.~~
 - iv) If there is any deficiency in physical provisions of layout amenity and/or roads as per the requirements of these Regulations, such deficiency may be condoned ~~shall be made good as directed~~ by the Commissioner.

Alternative

g) In case of proposals within partially developed layouts where plots are not sub divided, if the developer intends to develop the layout with a view to avail of development rights according to the FSI prescribed in these Regulations, the additional development rights permissible will be arrived at as prescribed below:

i) The land component of the FSI consumed in the buildings under construction or completed shall be computed from the approved layout applying total FSI permissible under this Regulation.

ii) From the total plot area the area calculated as per I above shall be deducted

iii) Permissible development rights for the area calculated as per II above will be computed according to these regulations.

iv) If there is any deficiency in physical provisions of layout amenity and/or roads as per the requirements of these Regulations, such deficiency may be condoned by the Commissioner.

g)h) In case of development of an individual plot in a layout, where the plots are sub-divided, Development Rights shall be calculated as per the permissible FSI and the provisions of Regulation No 11.4 (b) & (c) shall be applicable for the entire layout or balance layout as per clause of above or at the option of the developer for area of such individual plot.

11.3. PHASED PROGRAMME

11.3.1. Development of Infrastructure in Layouts

In case of layouts, where it is not possible to provide all the Infrastructures at a time and hence it would be necessary to divide the plot into small sectors as may be directed by the Commissioner shall be developed in phases. In such phase wise developments, the development of such phases would be permitted as under:

a) Construction of roads up to water bound macadam before the grant of commencement certificate.

b) Completion of streetlights and asphaltting/concreting of roads from nearest public road upto such building and provisions of S.W.D., sewer line and water mains before grant of occupation certificate to such building, and

c) Provision of complete streetlights and asphaltting/concreting of roads before grant of occupation certificate beyond 75 % of built-up area in the layout.

d) B.C.C. to the individual last buildings in the layout shall be granted only after grant of Layout completion certification as per the conditions of layout.

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11.4. AMENITY SPACES REQUIRED TO BE CONTRIBUTED FOR PUBLIC PURPOSE

a) In any layout or sub-division of land, area for the provisions of public amenities shall be contributed to MCGM as under:

Table No. 7. Extent of area for public amenities to be contributed in a layout as % of total plot area.

Sr. No.	Categories	Percentage of Amenity Space
(i)	Amenity Area from a plots with gross plots area 2,000 <u>10,000</u> Sq.M. and more	10.00%
(ii)	Changing Industrial user of plot to Residential and/or Commercial	Additional 5.00%
(iii)	Development in Cotton Textile Mills	Additional 10.00% <u>5.00%</u>

In case of Cotton Textile mills out of ~~20~~ 15% amenity area, ~~12~~ 10.5000% of the area shall be made available to MCGM for provision of amenities and ~~75.5.00~~ 5.00% shall be made available to MHADA for housing of the Cotton Textile Mill Workers.

b) Such amenity areas shall be deemed to be reservations of the Development Plan and shall be handed over to the M.C.G.M, free of costs.

e) In case of redevelopment of plots in a layout or development of vacant plots in layouts approved prior to these Regulations, if the area provided for any reservations and/or layout Recreation Open Space or Layout R.G. as per the regulations existed prior to coming in to force of these regulations is handed over to MCGM or is to be handed over to MCGM, along with the permanent right of way to such plots, as required under Regulation No. 11.4.2 of these Regulations free of costs for public purposes, then in such cases, the public amenities as required under Table No 7 of these Regulations ~~may~~ shall not be insisted. Otherwise, amenity space as required under Table No. 7 of these Regulations shall be handed over to the M.C.G.M. in accordance with the plot area for which Development Rights are claimed as per these Regulations.

e) The public amenity space as stated in Table No. 7 above shall be worked out on gross plot area after deducting the proposed D.P. Road/sanctioned R.L./existing road affecting the plot. In case a plot consists of any reservation and/or designation as provided in the Development Plan, the area of only such reservation and/or designation may be set off against the public amenity space area as required under Table No. 7 of these Regulations.

Amenity Space	=	[(Gross Plot Area – Area under Existing and/or Proposed Road/s <u>and reservation area</u>) X Percentage Factor as per Table No. 7]	-	Area under Reservation/s and/or Designation/s <u>and/or existing and/or proposed roads</u> if any on the Plot.
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'Area under proposed D.P. Road/sanctioned R.L./Existing road affecting the plot shall not be considered for such deduction.

e) For amalgamation of two or more plots which do not require amenity open space in individual capacity; then while amalgamating such plots; the provisions of amenity space shall not be insisted.

Table No. 8. Illustration of Table No. 7 for calculations of amenity space

Gross Plot areas	Area of roads if any	Area of Reservations if any	Net Plot area=Gross plot area-road area	% of amenity space required	Area of amenity required
1	2	3	4=(1-2)	5=4X10%	6=(5-2)
2,000.00	100.00	0.00	1 900.00	190.00	
2,000.00	100.00	300.00	1,900.00	190.00	
4,000.00	100.00	300.00	3,900.00	390.00	
6,000.00	1,000.00	3,000.00	5,000.00	500.00	
8,000.00	1,000.00	300.00	7,000.00	700.00	400.00

~~IF the~~ The area to be handed over to MCGM as Amenity Space can be constructed built up area and such works out to be less than 200.00 Sq. M., then the built-up area shall be equivalent to the base FSI times such area and the built up area shall be handed over to MCGM free of cost.

The amenity area may be developed on the same plot or anywhere in the Greater Mumbai and can be in form of constructed premises as part of the sale component of SRA scheme and redevelopment of cess properties. Subject to the following:

Built-up Area-B = Built-up Area-A x (RR-A /RR-B)

Where;

Built-up Area-A= Built-up area of amenity space proposed to be transferred from Plot-A

Built-up Area-B=Built-up area of amenity space to be handed over to MCGM at Plot-B in lieu of Built-up Area-A.

Where, Plot -A and Plot-B situates anywhere in Mumbai.

RR-A = Ready Reckoner Rate for built-up area at Plot-A

RR-B = Ready Reckoner Rate for built-up area at Plot-B

Note: Ready Reckoner Rates (both RR-A and RR-B) shall be of the relevant year in which proposal for shifting of tenements from Plot-A to Plot-B is approved by the Commissioner. In case there are more than one built-up rate applicable to different parts of the plot under development, a weighted average of all the applicable built-up rates shall be taken for calculation.

11.4.1. Minimum Dimensions for Amenity Space

The minimum dimension of such amenity space shall be ~~7.50~~ ~~8.50~~ M, and the ratio of length to width shall not exceed ~~4.00~~ ~~2.50~~ times the average width.

11.4.2. Access to Amenity Space

Every plot meant for amenity space shall be directly accessible from the public street. However, In case of the plots having frontage less than 13.50M, amenity plot can be provided such that Is accessible by an Independent right of way having minimum width of 6.00 M. Area of such right of way shall not be counted in the area of amenity space.

~~11.4.3. Requirement of Public Road in a layout~~

~~While granting Layout permission, Commissioner may require additional public roads depending on the area and location of the layout. The Commissioner may declare any or all of the Layout Roads to be treated as public roads for allowing access to general public in order to ensure proper road connectivity and ease traffic circulation. At least one road shall be shown as public road passing through the layout having area equal to or larger than 4,000 Sq.M must connect another public streets. The width of such connecting road shall be governed as per Table No. 5 of these Regulations. Such roads shall be deemed to be Roads of the Development Plan and shall be handed over to the M.CGM. free of costs.~~

11.4.4 Ownership and use of Amenity Spaces/Roads to be handed over to MCGM.

- a) The Amenity Space/Roads which are required to be handed over to MCGM shall be specifically marked on the layout plan stating "Area for Amenity to be handed over to MCGM free of costs" and/or "Roads to be handed over to MCGM free of costs"
- b) Such area for Amenity Space/Roads and the area under Reservations/Designations if any as per the Development Plan, shall be handed over to MCGM as provided in Regulation No, 8.5 of these Regulations.
- c) ~~☞~~ The amenity spaces as per Table No.7 above shall be handed over to the MCGM for its exclusive use and MCGM can designate appropriate public purpose to such Amenity Spaces such as Recreational Open Spaces, Markets, Welfare Centres/ Aadhar Kendra, Police Chowkies, Public Sanitary Conveniences, Municipal Library, Reading Rooms for Students, Gymkhanas/Gymnasiums, Municipal Chowkies, Shelter for Destitute, Night Shelters, Old Age Homes, Pumping Stations, Citizen Facilitation Cent(e, Municipal Dispensaries, Facility for Solid Waste Management, Fire Stations, Fuel Stations, Electric Sub-Station etc., either for single facility or for multiple facilities, as per the requirement in the planning sector. Amenity space shall be of such nature which is required for the use and occupation by the MCGM or Government and is not to be allotted to any Third Party for any purpose.
- d) For deciding the use of amenity spaces, deficiencies in amenities of the planning sector shall be taken in account by using Radar Diagrams given in the Development Plan Report. The same subject to approval of the Commissioner.
- e) The areas of Amenity Space, Roads or Reservations/ Designations within the applicant's land shall not be deducted for calculating the net plot area and total development rights permissible on the entire plot area, as permissible under these Regulations may be consumed on the remainder of the plot only If the Amenity Space, Roads and Reservations/Designations that may be affecting the land are handed over to MCGM free of cost and free of encumbrances as

directed by the Commissioner. Else, the development rights will be permitted on plot area after deducting the area under Amenity Space. Roads and Reservations/Designations as the case may be and applicant can avail the monetary compensation or TDR for such area.

f) The amenities spaces as per Table No. 7 above may be in the form of Built up Amenity at the option of the Developer. The area to be handed over to MCGM as Amenity Space can be constructed built up area and such built-up area shall be equivalent to the base FSI times such area and the built up area shall be handed over to MCGM free of cost. Wherever the amenity is being handed over in form of built up amenity then no separate plot shall be required to be handed over to MCGM. & b Built up amenity can be provided in any of the building proposed.

11.5. REVISION OF LAYOUT

The revision of layout will be necessary under following circumstances:

- a) If any change in the area of sub-plots.
- b) If there is any change in the area of approved Layout.
- c) If the location amenity space is proposed to be changed.
- d) If the reservation/s and/or road/s in the layout are relocated/realigned.
- e) If the distribution of Development Rights within the layout on sub divided plots is proposed to be changed.

Such revision of Layout shall require revised '~~Planning Permission~~ Layout Permission' as provided in Regulation No. 6.6 of these Regulations.

12. REQUIREMENTS OF SITE

No land shall be used as a site for the construction of building

- a) If the Commissioner considers that the site is insanitary or that it is dangerous to construct a building on It *or no water supply is likely to be* available within a reasonable period of time;
- b) ~~the use of the said site is for a purpose which in the commissioner's opinion may be a source of danger to the health and safety of the inhabitants of the neighbourhood;~~
- c) If the level of site is lower than the Datum Level prescribed by the Commissioner depending on topography and drainage aspects. This shall not be less than Reduced Level of 27.45 M of the Town Hall Datum.



PART 4

This part describes the land-use zones incorporated in the Proposed Land-Use Plan of the Draft Development Plan and the permissible land uses in each zone.

PART 4. LAND-USE ZONING

13. LAND USE ZONING & USES PERMITTED

The Proposed Land-use Plan depicts *the four land use-zones*.

Explanation: For ascertaining the Land-use Zone for a given plot *of land please refer to* relevant Proposed Land-use Map of Development Plan. Eventually web enabled map *will* be available on the MCGM website, where by providing the name of Ward, Division/Village/ Town Planning Scheme and Survey Number (either C.S.No., C.T.S.No. or F.P.No,) of the concerned plot, the land use zone and maximum permissible FSI could be ascertained,

13.1. GENERAL

In case of development of any land, the intended use shall conform to the permissible uses of the zone in which the land situates.

13.2. ZONING DEFINITIONS

Following four land use zones are demarcated on the Proposed Land-use Plan.

Table No. 9. Zoning Definitions

<i>Zone</i>	<i>Representation</i>	<i>Broad Description</i>
Residential-Commercial Zone (R-C Zone)	R-C	The Residential-Commercial zone is a mixed use zone, with residential use as the predominant and where Commercial users are permitted as specified.
Commercial Residential Zone – (C-R Zone)	C-R	The Commercial-Residential zone is a mixed use zone, where commercial and residential use and certain types of manufacturing uses are also permitted.
Industrial Zone (I – Zone)	I	Manufacturing is the primary activity in the Industrial Zone. In addition, warehousing and logistics are also permissible. New industrial activity shall be non-polluting, non-hazardous and subject to clearance from MPCB. Existing Industrial users are protected subject to certification from MPCB. Conversion of land use can be permitted as specified in these Regulations.
Natural Zone	NA	It is an environmentally sensitive zone where no building construction is

(NA-Zone)		permitted.
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Note: In conformity with the intent and spirit of these Regulations, the Commissioner may modify the limit of a zone where the boundary line of the zone divides a plot.

13.3. USES AND ANCILLARY USES PERMITTED IN THE ZONES

The purpose of this Regulation is to allow environmentally compatible uses in a zone on a given plot of land *and* specifically prevent non-compatible uses. Where an activity not specifically listed in these Regulations is proposed, its permissibility will be decided by the Commissioner with reference to this basic purpose.

13.3.1. Conditions under which land-uses are permissible

The conditions under which land-uses are permissible in the zones which are required to be complied with as detailed in Table No. 11 are described in Regulation No. 13.2 above are listed in Table No. 10 below.

Table No. 10. Conditions under which land-uses and occupancies are permissible

Sr. No	Conditions under which Land-use and Occupancies are permissible
1	Independent plot
2	Independent building
3	Separate wing with separate access.
4	Separate floor with separate access
5	On ground floor with separate access.
6	On top of podium floor
7	On the floor above stilts/ innermost parking floor with separate access
8	On 1st floor
9	On terrace floors
10	On open terraces in non- residential buildings.
11	Minimum area of plot- 2.500 Sq.M
12	Minimum width of street on which the plot abuts- 12.20 9.00 M
13	Minimum width of street on which the plot abuts- 13.40 12.00 M
14	Minimum width of street on which the plot abuts- 18.30 13.40 M.
15	Minimum width of side & rear marginal open Space- 6.0 M.
16	Allowed on designated portion of a road
17	Only in Service Industrial Estate.
18	At the designated sites as decided by the Commissioner.
19	In a single-storeyed detached or semi-detached structure having an area not more than 100
20	Subject to certification for structural stability against impact.
21	Subject to Not compromising/disturbing the public movement on
22	Subject to permission of Commissioner of Police.
23	Subject to approval from Traffic Police.

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24	Subject to permission from Health Department of MCGM.
25	Minimum width of side & rear marginal open Space- 9.00 M
26	Subject to permission from Director of Industries
27	Subject to permission from controller of Explosives

13.3.2. The conditions applicable for permitting various land-uses and occupancies

The conditions applicable for permitting various land-uses and occupancies in the four land use zones, as described in Table No. 9, are given in Table No. 10 with following colour codes for their permissibility.

	Colour denotes Permissible Use with or without conditions in a Zone
	Colour denotes Non-Permissible Uses in a Zone.

Table No. 11. Conditions under which uses and occupancies will be permitted in Land use zones

S r	Uses and occupancies	Conditions under which uses and occupancies will			
		R-C	C-R	I	N
1	Customary home occupations including profession-				
2	Residential care activities for the elderly and disabled,	1 or 2 or 3	1 or 2 or 3 or 4		
3	Short term accommodation	1 or 2 or 11	1 or 2 or 11	1 or 2 or 11	
	(ii) Other categories of hotels	1 or 2 or 3	1 or 2 or 3	1 or 2	
	(iii) Motels, resorts, guest houses, circuit houses, hostels	1 or 2 or 3	1 or 2 or 3	1 or 2	
4	A) Health Care facilities without indoor bedding facilities for patients like, Dental, medical practitioners.	5 or 6 or 7 or 8	5 or 6 or 7 or 8		
	B) Health Care facilities with indoor bedding facilities	1 or 2 or 3 or	1 or 2 or 3		
5	All other Hospitals and veterinary hospitals	1 or 2 or 3	1 or 2 or 3		
6	Pre-primary schools and primary schools	1 or 2 or 3	1 or 2 or 3		
7	Composite Schools and colleges with other activities	1 and 12	1 and 12	1 and 12	
8	Institutional Uses	1 or 2 or 3	1 or 2 or 3		
9	Police Station, Govt. or Municipal sub-offices, branches	1 or 2 or 3 or	1 or 2 or 3		
10	Offices and services establishments	1 or 2 or 3	1 or 2 or 3		
11	Restaurants, eating houses, cafeteria.	1 or 2 or 3	1 or 2 or 3 or 4 or 5 or		
12	Retail trade and shops	4 or 5 or 7	4 or 5 or 7		
13	Malls/ shopping centers/Departmental Stores and	1 or 2 and	1 or 2 and		
14	Cemeteries and graveyards	1	1		
15	Public or private parks, gardens and play-fields on non	5 or 6 or 9	5 or 6 or 9	5 or 6 or 9	5 or 6 or 9

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16	Stadiums, golf courses and amusement parks	1 and 9	1 and 9 & 14	<u>1</u> and 9	<u>1</u> and 9
17	Libraries, Reading halls, study halls, creative arts, archives,	1 or 2 or 3 or	1 or 2 or 3		
18	Places of worship, Religious buildings,.	1 or 2 and	1 or 2 and	1 or 2	

19	Community halls, welfare centres, commercial halls,	1 or 2 or 3 or	1 or 2 or 3 or		
20	Marriage halls, Auditorium, clubs	1 or 2 or 3	1 or 2 or 3		
21	Drama theatre, Cinema theatre	1 or 2 or 3	1 or 2 or 3		
22	Gymnasiums	5 or 6 or 7	5 or 6 or 7		
23	Radio broadcasting and television studios	1 or 2 or 3	1 or 2 or 3	1	
24	Sound recording and	6 or 7 or 8	6 or 7 or 8		
25	Flour Mill	19 and	19 and		
26	Petrol and other auto fuel	1	1	1	
27	Storage and Retail sale of	5	5		
28	Vehicles repair/ servicing	1 or 5 and	1 or 5 and	1	
29	Sale of motor vehicles, parts and accessories	5 or 7 and	5 or 7 and	21	
30	Bus stations, taxi stands, auto rickshaw stands	1 or 16 and	1 or 16 and		
31	Public Parking areas, including multi-storied	2 or 3 or 4	2 or 3 or 4	2	
32	Cottage Industries,	1 or 2 or 3 or	1 or 2 or 3 or		
33	Service Industrial estates	1 or 2 or 3	1 or 2 or 3		
34	Collection and disposal of hazardous, non hazardous		1 or 2 and	1 or	
35	Warehousing				
36	Warehousing activities of hazardous material			25	
37	Logistics activities and		1 and	lan	
38	Offices, I.T. & I.T.E.S./ Biotechnology units	1 or 2 and	1 or 2 or 3		
39	Wholesale trade and storage	1, 2 and 12	1, 2, 3 and 12		
40	Prison		1 and 15	1	
41	Trade and other similar	1 2	1 2 3 4		
42	Mattress making & cotton	5	5		
43	Research & experimental	1 2	1 2 3 4		
44	Industrial manufacturing, fabrication, assembly, and				

	Manufacturing of -	15	15	15	
	(a) Food products/ fruit product/ vegetables/ bakery	and 24	an d	an d	
	(b) Textile products/ mattresses			26	
	(c) Wood products and furniture, bamboo products		1, 2		
	(d) Containers and boxes from paper board/ Paper	1,2, 3	1, 2		
	(e) Leather goods/ footwear				
	(f) Rubber/ plastic/ glass / metal				
	(g) Electrical materials/ goods, Electronic products and assembling of				
	(h) Musical instruments				
	(i) Jewellery diamond cutting &				
	(j) Filling stations of Petrol, Diesel, Compressed Natural Gas stations	27	27		
	(k) Manufacturing not classified			26	
	Manufacturing processing & usage of			25	
	(a) Chemicals, fertilizers, gases, metal compounds,			an d	
	soap, soda, acids, starch, automobiles, boiler			26 an d	
	works			27	
	(h) Explosives/fireworks and				
	a) Board walks in mangroves, Trekking facilities, Conveniences for				

Note:- Permissibility for Sr. No. 38 and 45 in Industrial Zone is subject to compliance as per Regulation No.11.4 of these Regulations.

Exceptions:

In case of Residential-Commercial Zone (RC) and Commercial-Residential Zone (CR) following exceptions shall apply to the permissible uses.

a) The existing authorized uses in the zone that are not listed in the permissible uses will be allowed to continue and will not be considered as non- conforming.

b) With the previous approval of the Commissioner and on such conditions as deemed appropriate by him, the land under existing industrial use and excluding cotton textile mills, may be permitted to be converted to permissible uses in other zones, according to Regulation Na. 13.3.3 of these Regulations.

c) In case of redevelopment, existing authorized non-residential uses in a residential building will be allowed to be continued on the ground floor or on first floor or floor above stilts/parking

floors or in a separate wing of a building with the special permission of the Commissioner.

d) In CR and I Zone, if entire building is constructed for non-residential use, the requirement of separate access shall not be insisted upon.

13.3.3. Conversion of Industrial Use in any zone to allow users permissible in RC-Zone or CR -Zones.

With the previous approval of Commissioner, any open land or lands under industrial use in the Industrial Zone (I-ZONE) (including industrial estates), excluding lands of cotton textile mills, may be permitted to be utilized for any of the permissible users in Residential-Commercial Zone (R-C ZONE) or Commercial-Residential Zone (C-R ZONE). Existing industrial use in R-C Zone or C-R zone will be permitted to be converted to other users permitted in the respective zone.

Such conversion of use shall be subject to following conditions:

- a) The conversion of Industrial user to *any* other user permissible in R-C Zone or C-R Zone in respect of closed industries shall be permitted subject to NOC from Labour Commissioner, Maharashtra State; stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made.
- b) However, in respect of any open land, where industry never existed according to the records of Assessment Department of MCGM and Buildings & Factories Department of respective Ward, NOC from Labour Commissioner is not required.
- c) If the land under such conversion admeasures less than ~~2,000-4-10,000~~ 10,000 Sq.M, 5.00% of built up area worked out at base FSI shall be handed over to the M.C.G.M. free of costs in the form of residential or commercial tenements. Such area shall be granted over and above the permissible Development Rights as per the F.S.I. permissible on the plot.
- d) If the land under such conversion is having areas of ~~2,000-4-10,000~~ 10,000 Sq.M and above, amenity as per Regulation No. 11.4, Table No. 7 of these Regulations, shall be handed over to the M.C.G.M. free of costs for the public amenities
- e) Such land area which is required to be handed over to M.C.G.M. free of costs shall deemed to be reservations of the Development Plan as provided under Regulation No. 11.4 of these Regulations. However, such areas shall not be deducted from the plot area for the purpose of calculating permissible Development Rights on the balance plot.
- f) The required segregating distance as given in Table No. 12 below shall be maintained within the plot which is intended to be used for residential and/ or commercial purposes from the adjoining plots which are in industrial use.

Table No. 12. Set-back segregation distance from adjoining plots under industrial use.

	Type of building use	Set-back segregation
	Other permissible non-industrial users including residential use	9.00 M from adjoining Industrial plots
	Other permissible non-industrial users excluding residential use	6.00M from adjoining Industrial plots

Notes: 1) No residential development permitted the existing obnoxious or hazardous industries in Industrial Zone with in a distance of 52.00 M from such Industrial plot.

2) The minimum segregating distance shall be the distance as measured from the opposite edge of the road (existing or proposed)/ nalla/ water course to which the plot happens to abut



g) For conversion of a part of land holding if proposed, amenity space shall be insisted for the area of land under conversion. However, necessary segregating distance shall be provided only from the boundary of plot under industrial use.

h) Other uses in the Industries Zone (I-Zone): If a plot in the Industrial zone (I-Zone) becomes un-buildable for industrial use because of any restrictions in the Industrial Location Policy of Government of Maharashtra or restrictions regarding segregating distances as required to be provided under these Regulations for allowing users permissible in R-C Zone or C-R Zone, the following uses may be permitted on such plot without maintaining the required segregation distances:

- i. Fuel-stations and service stations/motor garage;
- ii. Parking lots/Parking garages;
- iii. Electric sub-stations;
- iv. Offices for public utility concerns or organizations
- v. Police stations, Government and Semi-Government offices, municipal sub-offices, fire stations and posts and telegraph offices.
- vi. Warehouses.
- vii. Community Facilities

The Commissioner may alter, amend or add to the list of the above users.

13.4. CIRCUMSTANCES UNDER WHICH EXISTING NON-CONFORMING USES WILL BE ALLOWED TO CONTINUE.

a) Any lawful use of land or building premises existing before coming into force of these Regulations may be allowed to continue even if it does not conform to the use provisions of these Regulations provided that such non conforming use is not extended or enlarged except as provided in these Regulations.

b) In case a building accommodating any non-conforming use collapses or is pulled down or is destroyed, any new building on such site shall conform to these Regulations and to the land-use prescribed in these Regulations.

c) Where a new building is constructed in place of an old building, containing authorised non-conforming users, the Commissioner may allow the same non-conforming users in the new building provided such user is not industrial or hazardous or likely to cause pollution.

d) In Industrial zone, authorised residential user may be permitted only in an independent buildings subject to Regulation No. 13.3.3 of these Regulations.

e) Non-conforming industries: Non-conforming industries which are neither hazardous nor polluting and which have been permitted to operate, without any requirement that they must shift to a conforming zone after a specific period, may, with the Commissioner's special permission, be allowed to make additions to start a new process or to manufacture new products, provided the nuisance from the existing unit will in no way be increased by such additions and subject to compliance with all the requirements of these Regulations.

13.5. PERMISSION TO CHANGE THE SANCTIONED USE OR SANCTIONED INTERNAL LAYOUT OF A BUILDING.

Owner of any building for which OC or BCC is granted and the building is not occupied or the building is already vacated or with the consent of existing occupants/ society, changes in the internal layout as per Section 342 of the MMC Act or change of user that is permissible in the zone, may be permitted to the owner, subject to compliance of other regulatory provisions of these Regulations and subject to prior sanction to such change of use.

In case of buildings constructed prior to these Regulations coming into force where existing sanctioned FSI is more than the FSI permissible under these Regulations, the excess existing development rights may be allowed to be retained for the proposed change of user. ~~by charging premium at the rate of 25.00% of the Ready Reckoner Rate lot that area and for that use.~~

13.6. USES PERMISSIBLE BELOW FLYOVERS

Following uses may be permitted below the flyovers.

- a) Garden
- b) Electricity Distribution Stations
- c) Municipal chowkies, road depot, municipal store
- d) Police chowky, RTO vehicle chowky
- e) Pay and park facility/ Bus stands/ Taxi stands/ auto-rickshaw stand F) Welfare centers for street children / activities centers for destitutes
- g) Night shelters
- h) Solid waste sorting centers
- i) Public toilets

13.7. INCLUSIONARY HOUSING

13.7.1. General

In case of every development of plot for residential use and having ~~gross-net~~ plot area of ~~4,000~~2,000.00 Sq.M. or more, for any purpose other than for operational or exclusively for public purpose constructions, additional development rights equivalent to 10.00% of the development rights computed at permissible base FSI used FSI for residential purpose shall be developed for project affected households and businesses and for low income group households in the form of residential dwelling units, shops, community work areas or industrial galas as directed by the Commissioner. Such development rights shall be granted over and above the permissible FSI as per Regulation No. 15.2 of these Regulations.

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13.7.2. Location of Inclusionary Housing

The inclusionary housing may be developed on the same plot or anywhere in the Greater Mumbai and can be in form of constructed premises as part of the sale component of SRA scheme and redevelopment of cess properties. Subject to the following elsewhere in the same Municipal Ward in which the plot under development is located subject to the following;

$$\text{Built-up Area-B} = \text{Built-up Area-A} \times (\text{RR-A} / \text{RR-B})$$

Where;

Built-up Area-A= Built-up area of Inclusionary Housing units proposed to be transferred from Plot-A

Built-up Area-B=Built-up area of Inclusionary Housing units to be handed over to MCGM at Plot-B in lieu of Built-up Area-A.

Where, Plot -A and Plot-B situate anywhere in Mumbai in the same Municipal Ward.

RR-A = Ready Reckoner Rate for built-up area at Plot-A

RR-B = Ready Reckoner Rate for built-up area at Plot-B

Note: Ready Reckoner Rates (both RR-A and RR-B) shall be of the relevant year in which proposal for shifting of tenements from Plot-A to Plot-B is approved by the Commissioner. In case there are more than one built-up rate applicable to different parts of the plot under development, a weighted average of all the applicable built-up rates shall be taken for calculation.

13.7.3. Area of Dwelling Units

The minimum carpet area of the dwelling unit under the inclusionary housing shall be 25.00 ~~27.88~~ Sq.M and number of dwelling units shall be as directed. The carpet area of shops, community work places and industrial galas shall be as directed by the Commissioner.

13.7.4. Handing over of Dwelling Units

The dwelling units, shops, community work places and industrial galas developed under the inclusionary housing shall be handed over to the MCGM prior to issue of part or full Occupation Certificate for the last 10% of balance development. The Developer shall be

entitled to construction cost of the built up area of inclusive housing calculated at the construction cost prescribed in the Ready Reckoner. The compensation calculated shall be adjusted against the Premium payable for Premium FSI.

13.7.5. Exemption

This regulation shall not be applicable to the developments undertaken under SDCR No. 1, SDCR No.2 and SDCR No. 4 of these Regulations.

In case of redevelopment projects where all the existing occupants are proposed to be re-accommodated, and the permissible development rights computed at permissible base FSI does not exceed the existing built-up area by at least 5,000 2,500.00 Sq.M., the provision of Regulation No.137.1 above shall not apply. In case the permissible development rights computed at permissible base FSI exceeds the *existing built-up area by more than 5,000 2500.00* Sq.M., 10 % of such excess development rights shall be additionally developed for inclusionary housing as described ~~in~~ this Regulation.

In case of projects where the reservations proposed on the land or handed over under previous Regulations exceeds 20% of the Gross plot area, then such plot shall not be required to provide for inclusionary housing.

The Developer at his option shall be entitled to pay ready reckoner rate for the land plus construction cost as per ready reckoner for the built up area required to be provided for inclusionary housing and on such payment the developer will not be required to provide for inclusionary housing on the plot. The amount paid under this clause shall be ear marked separately and deposited in the shelter fund.

13.7.6. Disposal of Inclusionary Housing Units

The Commissioner may allot not more than 50.00% ~~Of~~ of the total units obtained under the ~~inclusionary~~ inclusionary housing to the beneficiaries having regard to the requirement of project affected households, businesses and community workplaces for restoration of livelihood of displaced households or workplaces. Remaining units shall be allotted as EWS/LIG households on outright sale by following a transparent process.

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14. PROVISIONS FOR CONSTRUCTION OF TRANSIT CAMP TENEMENTS FOR SLUM REHABILITATION SCHEMES

Comment [S5]: Incentive FSI to be worked out

- a) If a plot owner proposes to construct the tenements for being used as Transit Camp for Slum Rehabilitation Scheme, he will be permitted to do so on vacant lands in any land-use zone provided that transit camps shall be handed over to Slum Rehabilitation Authority free of cost.
- b) For this purpose, the owner shall not be required to purchase TDR or premium FSI.

Every tenement in the Transit camp shall have a minimum caret area of 25 Sq. M. (269 sq ft.) ~~2786 SqM~~ (300 Sq. ft.) Construction of such tenements can be to the extent of total permissible FSI of the plot. Construction shall be in the same specifications as for permanent slum rehabilitation tenements

c) The owner shall be entitled to avail Development Right Certificate as TDR for built up area constructed and handed over to SRA. In addition the owner shall be entitled to avail Development Right Certificate as TDR for the proportionate Land component of plot as per Clause 16.

d) If part of the Total permissible FSI is used for Transit camp, remainder of the total permissible FSI may be used for owners own purposes or as sale component in such cases, the permissibility of land TDR and construction TDR as mentioned above in these regulation shall be proportionately reduced.

~~d)~~e) If plot owners proposes to use part of the plot to construct the tenements to be use as transit camp as provided in clause (a) above DRC generated out of the said construction of the transit camp and out of the land ~~under neeth~~ underneath shall be allowed to be utilized on the balance plot in lieu of premium A FSI and B FSI.

PART 5

The objective of this part is to define intensity of development such that redevelopment of already built-up plots is facilitated, efficient use of land is promoted particularly responding to the existing and planned public transport network and for accommodating the aspirations for increased per capita space both for living and working.

This part therefore describes the extent of development possible on plots of [and by way of permissible FSI.

PART 5. FLOOR SPACE INDEX (FSI)

15. FLOOR SPACE INDEX (FSI)

15.1. DEFINITION AND COMPUTATION OF FSI

Floor Space Index or FSI means the ratio of the total covered area of all floor to the total area of the gross plot viz:

Floor Space Index (FSI) = $\frac{\text{Total covered area of all floors}}{\text{Gross Plot Area}}$

Gross Plot Area

15.1.1. Following areas will not be considered as covered area for computation of FSI

- a) Terraces created due to step-backs and on top of the building.
- b) Refuge floor areas as per Regulation No. 18.6.5 of these Regulations.
- ~~c) Parking areas as per the Regulation No. 20 of these Regulations. Any parking proposed in addition to the required parking under these Regulation shall be counted in FSI.~~
- ~~d) Area of the Basement and podiums used for non habitable use.~~
- ~~e) Staircase and Fire Control Room and Fire Lift required under GDCR Part 9~~
- ~~f) Service floors as per Regulation No. 18.6.4 of these Regulations.~~
- ~~g) Fire check floor required under Regulation No. 18.6.6 of these Regulations.~~
- ~~h) Roof over staircase and lift machine room on the terraces.~~
- ~~i) Areas covered by porches & canopies at the entrances to the building at the ground and podium level as per Regulation No. 18.8.4 of these Regulations.~~
- ~~j) Areas covered by the arcades adjacent to the streets, as required or provided for as per Regulation No. SDCR 7 of Special Development Control Regulation these Regulations.~~
- ~~k) Staircase and lift~~
- ~~l) Entrance lobby at stilt and podium levels~~
- ~~m) Electric meter rooms and cable ducts~~
- ~~n) Watchman cabins~~

15.1.2. Features that do not constitute covered area

Features that do not constitute covered area will not be considered for computation of FSI. An illustrative list of such features is *given* below:

- a) Underground water tank/suction tank, pump room.
- b) Waste Water Recycling Plant.
- c) Sewerage Treatment Plant (STP) (Structures required for effluent treatment plant as per

requirement specified by MPCB or relevant authority).

- d) Industrial Effluent Treatment Plant.
- e) Rain Water Harvesting Arrangement.
- f) Non-conventional Energy System.
- g) Electricity Distribution Station as per the requirements of Regulation No, 18.11 of these Regulations.
- h) Garbage Shaft/Refuse Chute
- i) Over Head Water Tank (provided that the distance between the terrace floor slab and bottom of the over head tank shall not exceed 1.50M).
- j) Independent structure of Elevated Water Tank.
- k) *Dust bins.*
- l) A rockery, well and well structures, plant nursery, fountain, swimming pool (if open to sky and only beyond the required marginal open spaces as required under these Regulations or *on terrace floor*), platform around a tree, tank, bench, gate, slide, swing, ramp at entrances (Excluding ramps of parking floors/area).
- m) Space for water hydrants, electrical weather-proof installations & water fittings.
- n) Chimney.

o) Chajja or weather shed not exceeding 120 75.00 cm in projection and provided at the bottom of beam or lintel over an opening or window.

o1) Area of services Ducts abutting sanitary block not exceeding 120 cm. in depth and mechanized ventilation shafts.

O2) Area of Fire Duct, Electrical Duct and Service Duct not abutting to habitable rooms.

O3) Area of Inner Chowk and ventilation shafts

O4) Area of Lift Wells

p) Covered areas required on topmost terrace for antenna/dish antenna/communication tower used for Telecom (basic cellular or satellite telephone) or ITE purposes. V-Sat, Routers, transponders or similar IT related structure or equipment. not exceeding 20.00 Sq. M in area.

p)q) Cooling Towers/Chilling Plant only beyond the required marginal open spaces as required under these Regulations or on terrace floor.

q)r) Advertisements and sky signs.

r)s) Compound wall

s)t) Architectural features at the terrace level within permissible height.

u) Vertical architectural features which cannot be merged into any floor area~~added to any floor.~~

v) Cornice, ornamental elevation feature for the purpose of aesthetics only

t)w) Entrance lobbies / entrance hall located at podium and/or stilt level.

15.2. FSI ZONING

Maximum permissible FSI in various land use zones of Greater Mumbai are depicted on the relevant maps of Development Plan.

Explanation: For ascertaining the permissible FSI for a given plot of land please refer to relevant map of Development Plan. Eventually web enabled map will be available on the MCGM website where by providing the name of Ward, Division/Village/Town Planning scheme and Survey Number (either C.S.No., C.T.S.No. or F.P.No.) of the concerned plot the land use, the land use zone and maximum permissible FSI could be ascertained.

The Permissible FSI shall comprise Base FSI, TDR and Premium FSI as prescribed in Table below:

Table No. 13. Permissible F.S.I.

Permissible FSI				Base FSI				FSI by payment	FSI by	FSI	by
0.15	=	0.15	+	-	+	-	+	-	-	-	-
2.00	=	1.50	+	0.50	+	-	+	-	-	-	-
3.50	=	2.00	+	0.50	+	0.50	+	0.50	+	0.50	+
5.00	=	2.50	+	0.50	+	0.50	+	0.50	+	1.50	+
6.50	=	2.50	+	1.50	+	0.50	+	0.50	+	2.00	+
8.00	=	2.50	+	2.50	+	0.50	+	0.50	+	2.50	+

Explanation;

1) The permissible FSI is the maximum that can be attained subject to compliance of provisions of these Regulations. ~~Premium B FSI~~ ~~Permissible FSI~~ is not an entitlement of the landowner. Landowners will not therefore be able to claim any compensation, monetary or by way of TDR if they are unable to attain ~~premium~~ ~~premium B FSI~~ ~~permissible FSI~~ for any reason whatsoever.

2) The 'Premium A FSI' mentioned in table No. 13 above shall be used prior to utilization of ~~FOR TDR~~ and ~~Premium~~ ~~Premium B~~ ~~FSI~~ ~~shall~~ ~~FSI~~ shall be used after ~~utilization of~~ ~~utilization of~~ TDR.

3) TDR generated from a slum redevelopment and rehabilitation scheme shall be allowed to be utilize in place of Premium A FSI and Premium B FSI

4) Institutional buildings, star category hotels, hospitals, IT/ITeS buildings shall be entitled to FSI upto 5 irrespective of the permissible FSI.

15.3. PREMIUM FSI

Development Rights computed by using Premium FSI ~~prescribed~~ ~~prescribed~~ in Table No. 13 above shall be available on payment of premium along with the application as per Annexure 14.1, for use of such ~~premium~~ ~~FSI~~ ~~FSI~~. The premium will be calculated as prescribed below:

Table No. 14 Calculation of amount to be paid for Premium FSI

Calculation for Premium A			
Amount for Premium-A to be Paid to M.C.G.M.	= Gross Plot Area	X Premium-A FSI	X 70% <u>25%</u> of Ready Reckoner Rate for Land*
Calculation for Premium B			
Amount for Premium-B to be Paid to M.C.G.M.	= Gross Plot Area	X Premium-B FSI	X 100% <u>40%</u> of Ready Reckoner Rate for Land*

Ready Reckoner rate applicable in the year in which the layout of the project or IOD of the building is issued

Institutional buildings, star category hotels, hospitals, IT/ITeS buildings shall pay Premium A & Premium B FSI at 10% of the Ready Reckoner Rate. Educational Buildings and Hospitals proposed by Charitable Trust shall pay premium at 2.5% of the Ready Reckoner Rate.

**Ready Reckoner Rate applicable in the year in which the actual payment for such premium FSI is paid. In case there are more than one land rate applicable to different parts of the plot under development, a weighted average of all the applicable rates shall be taken for calculating the Average Ready Reckoner Land Rate for deciding amount of premium.*

15.3 A The Premium payable for the premium FSI shall be allowed to be paid in following installments

i) 10% on sanction of layout or incase of single building on or before issue of IOD

ii) 25% on or before issue of CC upto plinth in respect and for the amount payable for the building to which CC is issued.

iii) 15% on or before issue of further CC in respect and for the amount payable for the building to which CC is issued.

iv) 50% payable before issue of OC in respect and for the amount payable for the building to which CC is issued.

For granting the aforesaid installment the developer shall be required to creat registered mortgage in favour of the planning authority for the area in the project which is calculated as follows

Amount of the premium payable X 1.5

Ready Reckoner rate of the sale price

On receipt of the full premium amount the planning authority shall reconvey the mortgage area with in period of 30 days

15.4. INCENTIVE DEVELOPMENT RIGHTS

Comment [S6]: Will discuss later

In case of schemes of Redevelopment of Cessed Buildings, Redevelopment of Cluster(s) of buildings under Urban Renewal Scheme, Redevelopment of Existing Housing Schemes of MHADA and Redevelopment of Slums through owner/ developer/ Co. op. Soc. undertaken in accordance with the provisions of SDCR 1 to SDCR 4 of the Special Development Control Regulation respectively, "Incentive Development Rights" will be available. The Incentive Development Rights shall be calculated by using a formula given below:

$$I/Rb = 9.21.3 \times (RI + Rc) \times 100 \text{ Where;}$$

I/Rb = Ratio of Incentive FSI (I) to Rehabilitation FSI (Rb) in percent

RI = ~~Ratio of~~ Ready Reckoner Land Price ~~to Ready Reckoner Sale Price~~

Rc = ~~Ratio of~~ Ready Reckoner Construction Cost ~~to Ready Reckoner Sale Price~~

Notes:

a) Ready Reckoner Rates applicable in the year in which the plans are approved or amended for such incentive Development Rights.

b) Rehabilitation area for calculating Rehabilitation FSI (Rb) will be considered 1.4 times the Rehabilitation Carpet Area calculated according to entitlements prescribed in SDCR 1 to SDCR 4 of the Special Development Control Regulation respectively.

c) Provided further that in case there are more than one land rate applicable to different parts of the plot under redevelopment, a weighted average of all the applicable rates shall be taken for calculating the Average Land/Construction Rate and the Basic Ratio.

15.5. INCENTIVE DEVELOPMENT RIGHTS AND RESULTANT FSI

a) If the sum of Development Rights for Rehabilitation of existing eligible occupants (Rb) and Incentive Development Rights (I) amount to FSI less than the Permissible FSI (Pf) i.e (Rb+I)<Pf the development will be permitted upto Permissible FSI (Pf) as given in Table No. 13. The difference between the Permissible FSI (Pf) and Rehabilitation and Incentive FSI (Rb+I) can be availed of according to the

provisions of Table No. 13 by utilization of TDR and Premium FSI as may be applicable.

b) If the sum of Development Rights for Rehabilitation of existing eligible occupants (Rb) and, incentive development rights (I) amount to FSI in excess of Permissible FSI (Pf) i.e. $(Rb+I) > Pf$, TDR equivalent to the excess development rights $[Rb+I]-Pf$ will be granted in accordance with the Regulation No, 16.1.

c) If the built up area required for rehabilitation of existing eligible occupants (Rb) exceeds the Permissible FSI (Pf) i.e. $Rb > Pf$ for the purpose of onsite rehabilitation, the required Rehabilitation FSI (Rb) will be permitted on site and Incentive FSI (I) will be allowed in the form of TDR.

d) In case of b) and c) above. Permissible ESI as per the Table No. 13 will be allowed without utilizing TDR and without payment of premium.

15.6. PROTECTED DEVELOPMENT

a) The FSI permitted as per the Development Plan and as per Table No. 13 will be allowed to be exceeded for redevelopment of existing authorized building to the extent of existing authorized development rights. However additional area required for attaining minimum requirements under these Regulation shall be permitted.

b) In cases where building proposal approved prior to these Regulations are proposed to avail the balance development rights as permissible under these Regulations shall be permitted either by utilising the TDR or by payment of Premium, without taking into account the payments made earlier, ~~for availing FSI of any sought or payments made~~ for grants of any concessions, condonations etc. ~~The premium payment made earlier for availing of any FSI of any sought sort shall be allowed to be adjusted against any premium payable under these regulations. The TDR utilized under earlier regulations shall be allowed to be utilized under these regulations also.~~ *(Note: this has to be examined from point of view of exempt area of the earlier plans)*

15.7. PUBLIC CAR PARKING

When Public Car Parking is proposed on an independent plot as an independent activity for public parking facility operated and managed by the owner, volume to plot ratio shall be considered instead of zonal FSI. The maximum volume to plot ratio shall be 12.0, subject to condition that it satisfies fire and other requirement of these Regulations. Such public car parking will be permitted on roads not less than ~~18.30~~ 9.00 M wide and 10.00% area of such development will be permitted as commercial use. ~~The owner shall be entitled to avail development right certificate as TDR for built up area constructed for such public car parking. If the owner hands over such public car parking free of cost to the MCGM then owner shall be entitled to development right certificate as TDR equal to the base FSI + premium A FSI for the land area.~~

16. TRANSFERABLE DEVELOPMENT RIGHTS (TDR)

For the purposes of this Regulations, Development Right of a plot, is defined as the product of plot area that is required to be handed over to MCGM and the sum of Base FSI and Premium-A FSI as prescribed

Comment [S7]: The formula for the utilization of the TDR needs to be redefined

in Table No. 13.

$$\text{Development Rights for a Plot as TDR} = \text{Plot Area that is required to be handed over to MCGM} \times (\text{Base FSI} + \text{Premium-A FSI})$$

**Note: No Premium shall be paid for Premium -A FSI when claimed as TDR for the reserved area of plot and handed over, vacant to MCGM free of cost.*

16.1. TDR IN LIEU OF COMPENSATION

The land reserved for public purposes in the Development Plan can be compulsorily acquired, according to the provisions of Section 125, and clauses (a) and (c) of Sub-section (1) of Section 126 of the MR&TP Act.

Alternatively, owner of the land reserved for public purposes can be granted "Transferable Development Rights" (TDR) in lieu of the monetary compensation as provided under Sub Clause (b) of Sub-section (1) of Section 126 of the MR&TP Act. The grant of Development Right will be governed by the following:

Owner of the land reserved for any public purpose desirous of availing the TDR may apply to the Commissioner in prescribed form given in Annexure 15.1, expressing his willingness to surrender the land so reserved, free of cost and free of all encumbrance to MCGM. The cases in which TDR will be offered are further defined below:

Table No. 15. Instances in which TDR can be availed.

Sr.	Instances	Extent of TDR
1	The land reserved/designated for any public purpose in the Development Plan and where award is not declared under Section 11 of L.A. Act or any compensation has not been paid.	Zonal Base FSI + Premium -A FSI times area affected by reservation/designation/road
2	The Development rights permissible on the land required for the following public purposes to the extent that they cannot be used on the remaining plot. a. The land to be contributed for amenity space/reservations/designations/ D.P. Roads under these regulations,	The extent to which the Base FSI of the amenity space/ reservation/ designation/ D.P. Road/ Nalla/ Nalla widening and areas of land under private roads or layout roads,

	b. The land under Nalla/Nalla widening	which are required by the MCGM that cannot be used on the remainder of the plot.
	c. R.L. Under MMC Act	
	d. The land under private roads/layout roads, which are required by the MCGM as per Regulation No. 11.4 of these Regulations.	
3	In case of redevelopment of Cessed buildings, Urban renewal schemes and slum redevelopment scheme,	As per Regulation SDCR 1 to SDCR 3 respectively of the Special Development Control
4	Heritage buildings	(Zonal Base FSI) -(FSI consumed by Heritage buildings)
5	Built-up area provided free of cost for resettlement of occupiers on MCGM's land reserved for public purpose or for	Built up area for rehabilitation
6	Built-up area constructed for transit tenements or affordable housing tenements as required by MCGM in the form of permanent structures constructed on unreserved private land and handing over of entire plot along with constructed tenements to MCGM free of cost.	As per Regulation No. 14 of these Regulations.

16.2. UTILIZATION OF ~~TDR~~ **TDR**

Development Right Certificates (DRCs) can be used in entirety or In parts at any location *In* any land use zone within the limits of FS.I prescribed in Table No 13 above. The Transferred Development Rights at the receiving plots shall be governed by the following formula:

(Note: change to Formula)

$$\text{TDRr} = \text{TDRo} \times (\text{RRLo} / \text{RRLr})$$

Where;

TDRr =Transferred Development Rights at the receiving plot

TDRo= Transferable Development Rights at the originating plot

RRLo= Ready Reckoner Rate for Land at originating plot

RRLr= Ready Reckoner Rate for Land at receiving plot

Note: The Ready Reckoner Rates (both RRLo and RRLr) shall be of the relevant year in which scrutiny fee for utilization of TDR is paid. In case there are more than one land rate applicable to different parts of the plot under development, a weighted average of all the applicable rates shall be taken for calculation.

Transferred Development Rights (TDRr) and the corresponding Transferable Development Rights (TDRo) shall be clearly indicated on the Development Rights Certificate that are used

16.3. PROCEDURE FOR GRANT AND UTILIZATION OF TDR

The procedure for grant of TDR is given in Annexure 15.2. Documents required to be submitted along with application for grant of TDR are given in Annexure 15.3.

The procedure for utilization of TDR is given in Annexure 15.4 Documents required to be submitted along with application for utilization of TDR are given In Annexure 15.5.

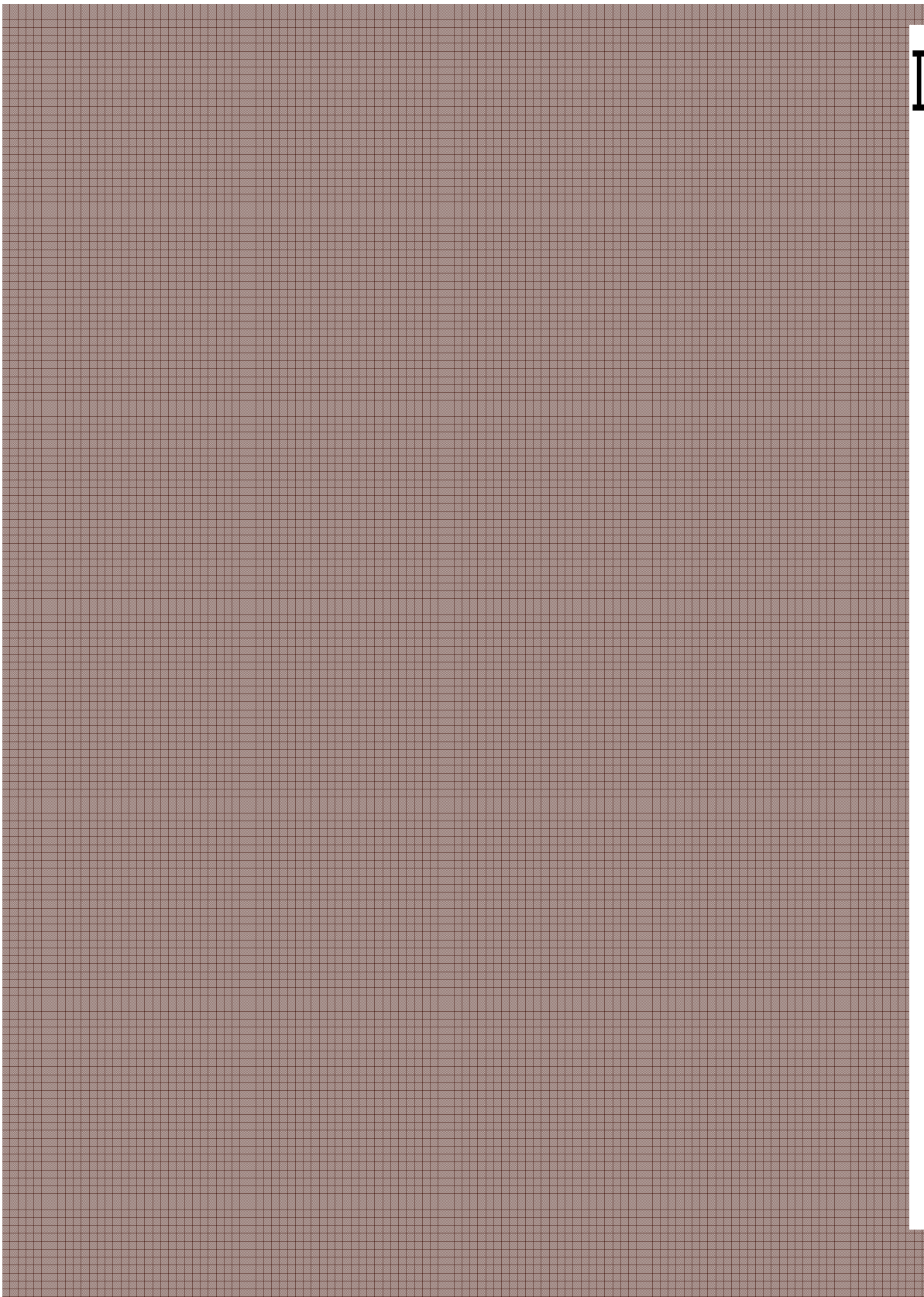
6 PART

DEVELOPMENT OF LAND FOR PUBLIC PURPOSES

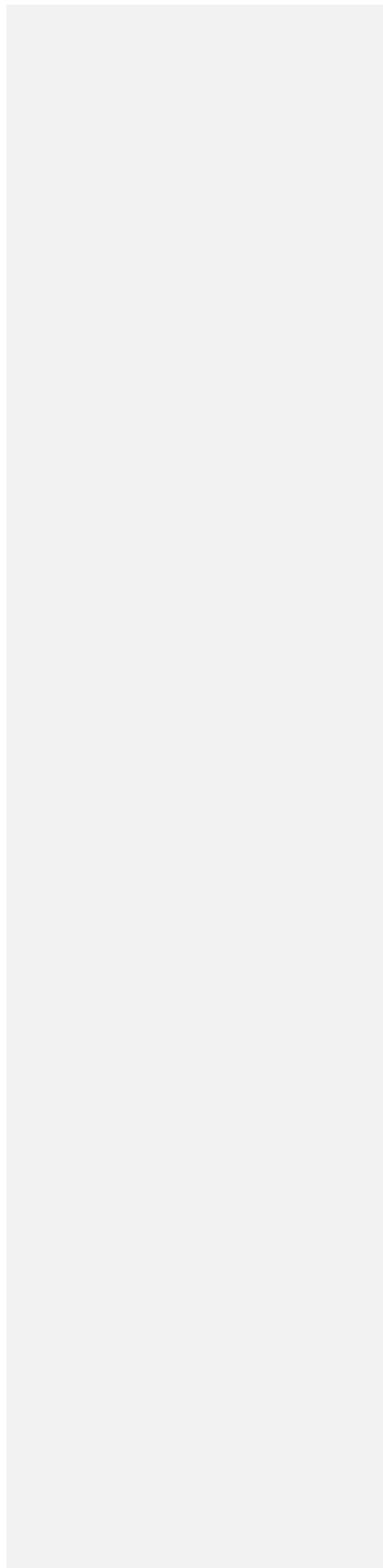
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The purpose of this part is to specify manner in which lands reserved for public purposes are to be developed and how lands designated for public purposes could be redeveloped.

4



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PART 6. DEVELOPMENT OF LAND FOR PUBLIC PURPOSES

17. DEVELOPMENT OF LAND FOR PUBLIC PURPOSES

17.1 DEVELOPMENT OF LAND DESIGNATED OR RESERVED FOR PUBLIC PURPOSES

- a) Reservations which shall be exclusively developed by the MCGM or the Appropriate Authority, after acquiring the reserved land in accordance with provisions of the law (by way of monetary compensation or by way of TDR), are described in Table No. 17 with appropriate conditions.
- b) Reservations which can be developed by the MCGM after acquiring the reserved land in accordance with provisions of the law (by way of monetary compensation or by way of TDR) or by the land owners subject to following conditions as described in Table No. 18 .
 - i. The owner will be allowed to develop the land if he agrees to construct built-up area equivalent to `X' % of Base FSI and agrees to hand it over to MCGM along with Y% of area of reserved plot free of cost as per the designs, specifications, terms and conditions duly approved by the Commissioner.
 - ii. The owner will be entitled to avail the permissible FSI of the entire reserved plot for other permissible users in zone on the remaining land [(100-`Y')% of the [and].
 - iii. The values of `X' and `Y' for the respective reservations as mentioned in Sr. No. i and ii above are given in Table No. 18 below.
 - iv. The construction of built up amenity to be handed over to MCGM along with the land as stated above under accommodation reservation may be allowed to be developed semi-detached to the structures of other permissible development proposed by the owner/ developer on the remaining land.
- c) The Commissioner may entrust the operation and maintenance of such developed amenity to an appropriate agency as per the prescribed guidelines. Preference may be given to Charitable Trusts or Local Citizens Groups as may be appropriate.
- d) In cases, where proposals are already approved as per the provisions of Regulations in force prior to these Regulations coming into force, the lands which are required to be handed over to MCGM or the Appropriate Authority, as the case may be, for the public purposes, as per the provisions of regulations in force prior to these Regulations, such lands shall be deemed to be reservations of Development Plan and shall be developed for the intended purposes as may be required and handed over to the MCGM or the Appropriate Authority as the case may be, even if such reservations/ designations/amenities are not reflected on the Development Plan.
d) i) The area equal to constructed built-up area of accommodation reservation will be granted in form of TDR. The TDR granted shall be equal to TDR granted under SDCR 1 to 4.
- e) Constructions required for ingress and egress of passengers using Public Mass Transit Facilities shall be permitted on any land reserved for any public purposes irrespective of its permissibility given in any land use classification.

Table No. 16. Common set of conditions for development of Reservations

Symbols	Applicable Conditions for development
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1	The Corporation or public authorities may entrust the development, operation and maintenance of the entire reservation to an appropriate agencies viz. Charitable Trusts, local citizens groups etc. following a procedure for selection as decided by Commissioner or the appropriate public authority.
2	The owner will be allowed to develop the reservation only for its intended purpose

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3	The owner will be allowed to develop the reservation on Accommodation Reservation basis.
4	The owner can avail of the total permissible FSI of the zone for educational activities with or without auditorium and 10%ofthe permissible FSI can be constructed for commercial uses.
Za	Maximum %of plot area that can be used for ancillary users.
Zb	Maximum %of permissible built-up area at base FSI of the built-up reservation area that can be used for ancillary users.
X	Maximum %of development rights, permissible at base FSI, of the reservation area affecting the plot, to be constructed as built-up amenity for the reservation under accommodation reservation.
Y	<div>Maximum % of the reserved plot to be set aside for built-up amenity developed under accommodation reservation and to be handed over to MCGM or the appropriate authority, along with the built up amenity.</div> <div>Total construction area including built up amenity space developed under accommodation reservation divided by total plot area</div>
Y(a)	Maximum %of development rights, permissible at base FSI, of the reservation area affecting the plot, to be constructed as built-up amenity for the reservation under accommodation reservation to be provided on ground and /or first floor with independent access in any of the building proposed on the plot and no separate plot to be set aside.
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Comment [S1]: Inclusive Housing not to be provided where the plot has accommodation reservation

Table No. 17. Reservations to be exclusively developed only by MCGM or appropriate public authorities

Sr. No.	Reservation Main Category	Reservation Sub Category		Users Permitted		Applicable Conditions for develop-ment
		Code	Name	Permissible Uses	Ancillary Activities	
I	Education	RE2.1	University	College, Higher Technical Education, Medical Education, Specialised Educational Facilities, Research Institutes along with Libraries, Auditorium, laboratories, Hostels, Staff Quarters	Sport Center, Gymnasium, Canteen, Banks, Post Office, Dispensary, Shops.	Zb=20

2	Open spaces	ROS1.1	Public Open Spaces	Garden, Parks, Recreation Ground, Play Ground, Swimming Pool, Tank, Botanical Garden, Children Park, Water body, Storm Water Balancing Reservoir, Underground Parking, Underground Electric Sub-station.	Open air stage, Sport facilities, Police chowky, watchmen cabin, gardener chowky, instruments room, cafeteria ,toilet block	1, (for Recreational Ground Za=10 Zb = 15) (For Others Za=Zb=5)
3		R0S2.1	Municipal Sports Complex	Sports Complex For Multiple or Individual Sports Activity, Swimming Pool Gymnasium, Enclosed Sports Facility For Indoor Games	Open air stage, cafeteria, restaurant, rest rooms, changing rooms, welfare activities, social and cultural activity\amenities, hostel rooms and other ancillary facilities watchman's cabin, gardeners chowky, instrument room etc.	1, Zb=15
4		ROS2.2	Zoo	Zoo	Ancillary uses as decided by the Commissioner	Za=10, Zb=15
5	Social Amenities	RSA4.1	Cemetery	Cemetery, Cremation Ground, Burial Ground, Electric Cremation Unit	Storage For Wood, Facilities For Mourners, For Performing Rituals, Prayer Hall, Religious Facility, Water Body etc	1, Zb=15
6	Public Utility & Facilities	RPU3.4	Police Facilities	Police Station, Police Chowky, Lockup, Custody, Staff Quarters, Court, Library.	Canteen, branch of a bank, stationary shop, meeting rooms for lawyers, Xeroxing shop, Ancillary uses as decided by Police Authority	Zb=15

7	Public Utility & Facilities	RP3.5	Correction Facilities	Custody, Jail, Police Station	Bank ATM, Ancillary uses as decided by Police Authority	Za = 10, Zb=10
8		RP4.1	Electricity Trans- mission & Distribution Facility	Electric Receiving Station, Electricity Transmission Sta- tion and Distribution Stations	Ancillary Office use	Zb = 10
9	Municipal Services	RMS3.3	Solid Waste Disposal/ Dumping Ground	Dumping Ground, Refuge Shed, Refuge Transfer Station, Solid Waste Sorting Centre, Municipal Chowky, Municipal Store, Workshop, Incinera- tion Unit, Recreational Open Space, Worker's Shed	Space for Rag pickers Facilities, Canteen, Dispensary unit, Ancillary uses as „Za=10, ided by the Commissioner	Zb=10
10		RMS4.1	Sewage Treatment Plant	Sewerage Treatment Plant, Aerated Lagoons, Municipal Chowky, Sewage Pumping Station, Municipal Store, Mu- nicipal Office, Workshop With Staff Quarters	Canteen, Dispensary Unit, Branch of A Bank, Ancillary Uses As Decided by the Commissioner	Za= 10, Zb=10
11		RMS4.2	Aerated Lagoon	Aerated Lagoons, Sewerage Treatment Plant, Municipal Chowky, Sewage Pumping Station, Municipal Store, Municipal Office, Municipal Workshop, Staff Quarter, Recreational Open Space	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses As Decided by the Commissioner	Za= 10, Zb=10
12		RMS4.3	Sewage Pumping Station	Municipal Chowky, Municipal Store, Municipal Office, Munic- ipal Workshop, Staff Quarters, Recreational Open Space	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses As Decided by the Commissioner	Zb=10
13		RMS5.1	Reservoir	Water Reservoir, Pumping Station, Municipal Office, Municipal Chowky, Municipal Store, Staff Quarters	Canteen, Dispensary Unit, Branch of a Bank, Ancillary UsesAs Decided by the Commissioner	Zb=10
14		RMS5.2	Water Pumping Statio	Water Pumping Stations, Municipal Office, Municipal Chowky, Municipal Store, Staff Quarters.	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses As Decided by the Commissioner	Zb=10
15		RMS5.3	Water Treat- ment Plant	Water Treatment Plant, Water Pumping Stations, Municipal Chowky, Municipal Store, Municipal Office, Staff Quar- ters, Green Zone Along Water Trunk, Vehicular Access Road For Trunk Main Repair As Per Requirement Of Dept.	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses As Decided by the Commissioner	Zb=10
16		RMS6.1	Storm Water Pumping Station	Storm Water Pumping Stations, Municipal Office, Municipal Chowky, Municipal Store, Staff Quarters.	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses As Decided by the Commissioner	Zb 10
17	Transport	RT2.1	Water Transport Terminal	Water Transport Terminal, Jetty, Water Transport Office, Chowky, Parking, Emergency Medical Centre	Canteen, ATM of bank, other ancillary uses with facilities for staff and visitors as de- cided by the Commissioner	1, Zb =15
18		RT2.2	Jetty	Jetty, Office, Parking, Emer- gency Medical Centre	Other ancillary uses with facilities for staff and visitors as decided by the Commis- sioner	

GDCR-2034

Note : Item No 1. 2. 3. 6. 17 & 18 should be shifted to table 18

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GREATER MUMBAI

Table No. 18. Reservations which can be developed by the MCGM after acquiring the reserved land or by the land owners as accommodation reservations

Sr. No.	Reservation Main Category	Reservation Sub Category		Users Permitted		Applicable Conditions for development
		Code	Name	Permissible Uses	Ancillary Activities	
1	Education	RE1.1	Primary & Secondary School	Pre-primary, Primary/ Secondary School, Higher Secondary school. Technical School. School for differently challenged students, Auditorium.	Other uses such as Colleges, Boys/ Girls Hostel, or other educational purposes , Branch of a bank, Stationary Shop	1 or 2 and 4 Zb = 50
2	Health	RH1.1	Maternity Hospital	Maternity Hospital, Dispensary, Maternity Home, Post Partum Center, Recovery Centers, Rehabilitation Centre, Physiotherapy Centre etc.	Nursing Home along with Nurses Quarters, Medical Stores/ Shops	1 or3 a) X= 40 b) Y= 50 c) Zb = 30
3		RH1.2	Dispensary/ Health Post	Dispensary, Health Post, Pathology Lab, Physiotherapy Centre etc.	Nurses Quarters, Post partum center, Recovery centers, Medical Stores/ Shops	1 or3 a) X=30 b) Y=40 c)Zb=30
4		RH2.1	Hospital	Hospital, Dispensary, Maternity Home, Municipal Healthcare Facility, Super Specialty Hospital, Multi Specialty Hospital, Recovery and Rehabilitation Centers	Nurses and other staff Quarters, Night Shelters, Branch of a bank, Medical Stores/ Shops,	1 or3 a) X=40 b) Y= 50 c) Zb=20
5		RH3.1	Rehabilitation Centre	Rehabilitation Centres, Dispensary, Health Post, Physiotherapy Centre etc.	Nurses and other staff Quarters, Commercial uses, Medical Stores/ Shops	1 or3 a) X=40 b) Y= 50 c) Zb = 20
6	Open Spaces	R052.3	Sports Complex	Sports Complex For Various Or Individual Sports Activity, Enclosed Sports Facility For Indoor Games, Gymnasium, room, Swimming Pool,	(i) hostel rooms and other ancillary facilities, welfare activities, social and cultural activities, amenities, watchman's cabin, gardeners chowky, instrument Changing Rooms. etc. (ii) Banks, Restaurants rest rooms, Sport Store/ Shop.	1 or3 a) Za = 25 b) Zb=50
7	Social Amenities	RSA1.1	Municipal Market	Market for fruits & vegetables, flower, fish and meat and shops required for rehabilitation of PAP's if required	Municipal office, Police chowky, Drama theatre, Parking, reading rooms	1 or 3 a) X = 40 b) Y = 50 c) Zb=30
8		RSA1.2	Municipal Wholesale Market	Market for fruits & vegetables, flower, fish and meat and shops required for rehabilitation of PAP's if required	Municipal office, Police chowky, Drama theatre, Parking, reading rooms, Parking Lot, Refuge Shed.	1 or 3 a) X = 40 b) Y = 50 c) Zb=30
9		RSA2.1	Multi-purpose Community Welfare Centre	Multi-purpose Community Welfare Center, Women Hostel, Home for Destitute, Vocational Training Centre. Senior Citizen's Recreation Centre, Dispensary, Library, Reading Rooms, Study rooms for students, Counseling Centre for various purposes	Commercial purposes, Banks, Restaurants, bill payment kiosk, community hall, exhibition hall	1 or3 a) X=40 b) Y= 50 c) Zb=30
10		RSA2.2	Night Shelter	Night shelter, Dormitory with toilet facilities and other ancillary facilities with dispensary, Watchman's cabin	Branch of Banks, Restaurants, bill payment kiosk, community hall, exhibition hall	1 or 3 a) X = 40 b) Y = 50 c) Zb=30
11		RSA3.1	Museum	Museum, Art Gallery, Exhibition Hall, Display Hall	Auditorium, Drama Theatre, Parking Lot	1 or 2 Zb=30

12	Social Amenities	RSA3.2	Cultural Centre/ Drama Theatre	Cultural Centre, Drama Theatre with rest room, make-up room, hostel rooms for artists, Open Air Theatre, Art Gallery, Aquarium, Auditorium welfare activity center, welfare activity center, Parking Lot	Recording rooms, dubbing rooms, restaurant, cafe, reading halls, Library	1 or 3 a) X =40 b) Y=50 c) Zb=30
13		RSA5.1	Exhibition Centre	Exhibition Center cum Convention Hall, Organizers office, Protocol Lounge, VIP Lounge, Press Lounge, Registration Area, Pre-function Area, Canteen cum refreshment area, surveillance and security rooms, service contractor's office, strong room, first aid and emergency response room with supporting activities as Hotels not less than 3-Star category, Food court, fine dining, restaurant area, shopping, recreation area, Indoor games area, fitness center, fire services.	As may be decided by the Commissioner	1 or 2
14	Public Utility Facilities	RPUI.1	Fire Station	Fire Brigade Station, Training center, staff quarters, Municipal office	As may be decided by the Commissioner	1 or 3, a) X=50 b) Y=50 c) Zb= 10
15		RPUI.2	Fuel Station	Fuel filling station with vehicle washing facility,	Ancillary uses of ATM, book shop, cafeteria, canteen, (Without cooking with open flame)	1 or 3, a) X = 50 b) Y=30 c) Za=10 d) Zb=10
16		RPUI.3	Police Station	Police station, Police Chowky, Lockup Facility, Canteen, Toilet Blocks, Rest Rooms With Residential Quarters	Staff quarters, Branch of Bank, Bill payment Kiosk	1 or 3, a) X =40 b) Y=40 c) Zb=20
17		RPUI.3.2	Police Chowky	Police station, Police Chowky, Lockup Facility, Staff Quarters, Canteen, Toilet Blocks, Rest Rooms		1 or 3, a) X=40 b) Y=40
18	Housing	RPUI.3.3	Court	Court, Library, Canteen, Meeting Rooms for Lawyers, Administrative Office	Branch of a bank, stationary shop, cafeteria, Photo copying shop, book store	1 or 3, a) X =40 b) Y=50 c) Zb =10
19		RR1.1	Police Staff Quarters	Police Staff Quarters with Police station		1 or 3, a) X=40 b) Y = 40
20		RR1.2	Municipal Staff Quarters	Municipal Staff Quarters, Municipal chowky, Municipal Office		1 or 3, a) X=40 b) Y=40
21		RR1.3	Government Staff Quarters	Government Staff Quarters, Government office		1 or 3, a) X=40 b) Y=40
22		RR2.1	Rehabilitation & Resettlement	Rehabilitation Tenements as decided by the Commissioner		1 or 3, a) X=40 b) Y= 40



23	Municipal Services	RMSI.1	Road Depot	Municipal Material Depot, Municipal Labour Chowky, Store, Workshop, Municipal Office		1 or3, a) X = 40 b) Y= 20
24		RMS1.2	Municipal Chowky	Municipal Labour Chowky, Material Depot, Store, Workshop, Municipal Office		1 or3, a) X = 40 b) Y= 50
25		RMS1.3	Municipal store	Municipal Store, Labour Chowky, Material Depot, Workshop, Municipal Office		1 or3, a) X = 50 b)Y=50
26		RMS1.4	Municipal workshop	Municipal Workshop, Municipal Labour Chowky, Material Depot, Store, Municipal Office	ATM of a Bank, Information Kiosk, CFC, police chowky and PSC blocks etc. Other Ancillary uses as decided by the Commissioner	1 or3, a) X = 50 b) Y = 50 c) Za = 10 d) Zb= 10
27		RMS2.1	Transport Garage	Transport Garage, Repair Garage, Store, Related Municipal Office, Municipal Chowky. , Municipal Office, Municipal Chowky, Workshop	Auto-parts shop, ATM of bank, canteen, municipal store, Ancillary uses as decided by the Commissioner	1 or 3, a) X = 50 b) Y = 50 c) Za = 10 d) Zb= 10
28		RMS2.2	Municipal Central Store	Municipal Central Store, Municipal Labour Chowky, Material Depot, Workshop, Municipal Office		1 or3, a) X = 50 b) Y = 50
29		RMS3.1	Refuge Shed	Refuge Shed, Solid Waste Sorting Center, Municipal Chowky, Municipal Office, Municipal Store		1 or3, a) X=40 b) Y = 30
30		RMS3.2	Refuge Transfer station	Refuge Transfer Station, Refuge Compactor, Solid Waste Sorting Center Municipal Chowky, Municipal Office, Municipal store		1 or3, a) X = 50 b) Y = 50
31		RMS3.4	Solid waste sorting center	Solid Waste Sorting Center, Refuge Shed, Refuge Transfer Station, Rest Rooms, Worker/ Ragpicker's Sheds and PSC blocks		1 or 3, a) X = 50 b) Y = 50
32		RMS 5.4	Hydraulic Engineering Store/ Office	Municipal Store, Municipal Office, Municipal Chowky, Pumping Station, Workshop With Staff Quarters	ATM of a Bank, Information Kiosk, CFC	1 or 3, a) X=40 b) Y= 40 c) Za = 10 d) Zb= 10
33	Transport	RT1.1	Truck Terminus	Truck Terminus, Workshop, Store, Garage	Restaurant, Commercial uses, ATM of a Bank, Information Kiosk, CFC, Police Chowky, PSC	1 or 3, a) X = 50 b) Y= 40 c) Za = 10 d) Zb= 10
34		RT1.2	State Transport Depot	State Transport Depot, Tracks For Vehicle Testing, Regional Transport Office, Staff Quarters, Canteen.	Branch of a bank, Ancillary uses as decided by the Appropriate Authority.	1 or 3, a) X = 50 b) Y = 30 c) Zb= 10
35		RT1.3	BEST Bus Depot	BEST Bus Depot, BEST Bus Station, Parking Lot for Public, Bus Stops, Sheds, Helipad	Cafeteria, Canteen, Police Chowky, CFC, ATM of a Bank,	1 or3, a) X = 40 b) Y = 40 c) Zb= 10
36		RT1.4	BEST Bus Station	BEST Bus Depot, BEST Bus Station, Parking Lot, Bus Stops, Sheds, Helipad	Cafeteria, Canteen, Police Chowky, CFC, ATM of a Bank,	1 or3, a) X = 40 b) Y = 40 c) Zb= 10

37	Transport	RT1.5	Parking Lot	Parking Lot, Mun. Chowky,	Cafeteria, canteen, police chowky, CFC, ATM of a Bank,	1 or 3, a) X = 40 b) Y= 40 c)Zb=10
38		RT3.1	Metro/Mono Rail Car-shed	Metro/ Mono Car Shed, Material Depot, Store, Workshop, Office.	As may be decided by MMRDA or Appropriate Authority	1 or 3, Values ofX and Y as decided by the MMRDA or the appropriate Govern- ment agency.
39	Offices	R01.1	Municipal Office	Municipal Office with Staff Quarters	ATM of a Bank, Information Kiosk, CFC, police chowky, electric/ telephone bill pay- ment center etc.	1 or3, a) X = 40 b) Y=40 c) Zb = 10
40		R02.1	Government Office	Government Office with Staff Quarters	ATM of a Bank, Information Kiosk, CFC, police chowky, electric/ telephone bill pay- ment center etc..	1 or 3, a) X = 40 b) Y=40 c) Zb = 10
41	Primary Activities	RPI.1	Fish & Net Drying yards	Fish & Net Drying yards, fish drying related industries, diesel storage, Fish Godown, Fishing related Industry	Food stalls/ Restaurant, Bank Branch	1 or2, a) Za = 15 b) Zb=15
42		RP1.2	Fish cold stor- age, Godown & Fishing re- lated Industry	Fish & Net Drying yards, fish drying related industries, diesel storage, Fish Godown, & Fishing related Industry		1 or 2, a) X = 50 b) Y= 50

17.2 DEVELOPMENT OF DESIGNATED LAND
Designated plots i.e. plots already developed for public amenities, are depicted on the Development Plan may be permitted to be developed under different circumstances as prescribed in table below:

Sr. No.	Circumstances	Ownership	Conditions of Development
1	Existing BUA is required to be expanded for the existing intended purpose	(a)MCGM	Designated plot may be developed to permissible Base FSI for the designated use
		(b)Government and Other Public	
2	Existing BUA is adequate for the existing use and does not require expansion	(c)Trusts or Private owners	Designated plot may be developed upto permissible Base FSI for the designated use and TDR and Premium FSI may be deployed for other uses permissible in surrounding land use zone.
		(a)MCGM	Designated plot may be developed subject to maintaining the existing BUA for designated public use. Additional BUA avail- able according to permissible Base FSI may be used for other public purposes.
		(b)Government and Other Public Authorities	
h		(c)Trusts or Private owners	Designated plot may be developed subject to maintaining the existing BUA for designated public use. Additional BUA avail- able according to permissible Base FSI if any, may be used for other permissible public use, permissible under these Regu- lations and TDR and Premium FSI may be deployed for other uses permissible in the surround ing land use zone.

Table No. 19. Development of Designations.

Sr. No.	Circumstances	Ownership	Conditions of Development
3	The existing use has lost patronage or has become obsolete	(a)MCGM	Designated plot may be developed up to permissible Base FSI for other relevant public purpose / amenities
		(b)Government and Other Public Authorities	
		(c)Trusts or Private owners	Designated plot may be developed up to permissible le Base FSI for other relevant public purpose / amenities as specified by the Commissioner. Additional I BUA available according to permissible Total FSI may used for land uses permitted in the surrounding land use zone.
4	Redevelopment of Plot developed under Accommodation Reservation	Private Land owners	In case of redevelopment of plots already developed under Accommodation Reservation, as per provisions of these Regulations or as per the provision of Regulations prior to these Regulations, the plot area and/or the built- up area will be required to be developed for designated or other public purpose in proportions as prescribed in Table No. 18 above.

Development proposed under the Table No. 19 above w ill need Planning Permission~~and application for planning permission will require justification for adequacy of existing BUA or the loss of patronage and obsolescence of existing use and proposed alternate public uses.~~ W here additional uses are permitted other than the public purpose as given in Table No. 19 above , sepa rate access/staircase and parking shall be provided for such other use.

17.3 COMBINATION OF PUBLIC PURPOSES/USES IN RESERVED SITES FOR BUILDABLE RESERVATIONS.

Where the Commissioner or the Appropriate Authority proposes to include public purposes other than those specified in the Development Plan for a specific reservation; they may do so, provided that the combination of proposed uses conform to these Regulations and the permissible use in the zone in w hic h the site falls .

17.4 SHIFTING AND/OR RELOCATING OF DESIGNATIONS / RESERVATIONS

In the case of specific designation/ reservations in the Development Plan, the Commissioner, with the consent of interested persons may shift, interchange the reservation in the same or on adjoining land~~or opposite land or within radius of 1 Km.~~ provided that it a buts a public street and it is not encumbered and the area of such reservation is not reduced and the entire reservation sha ll be placed at one location.

Notwithstanding the above, the minimum dimensions of such relocated reservations shall not be less than 8.50 M and the ratio of length to width s hall not exceed 2.50 times the average width.

17.5 STRUCTURES/USES PERMITTED IN RECREATIONAL OPEN SPACES (ROS)

- a) In a recreational open spaces exceeding 400.00 Sq. M. in area elevated/ underground water reservoirs, electric sub-stations, pump houses may be built at a single location on plot area not exceeding 10 per cent of the recreational open space.
- b) In a Recreational Open Space designated as "Recreation Ground" admeasuring 1,000 Sq. M. or more in area (in one piece and in one place), structures for watchman's chowky, police chowky, public convenience, pavilions, gymnasias, club houses and other structures for the purpose of sports and recreation activities may be permitted with built-up area not exceeding 15 per cent the total recreational open spaces in one place. The area of the plinth of such a structure shall be restricted to 10 per cent of the area of the total recreational open space. An outdoor swimming pool may also be permitted in such a recreational open space.
- c) In a Recreational Open Space designated as "Playground", "Park" or "Garden", structures for watchman's chowky, gardener's instrument room, public toilet and police chowky for the purpose of maintenance and toilets may be permitted with built-up area not exceeding 5 per cent the total reservation area in one place.
- d) Electric substation may be permitted in basement below the recreational open space as per Regulation No. 18.11 of these Regulations.
- e) Public Parking lot may be permitted in basement below the recreational open space as per Regulation No. 20.5 of these Regulations.
- f) Plots of Recreation Open Spaces developed as Playgrounds may be permitted to be used for Circus/ Political/Religious-cultural Events for a maximum period of 30 days in a calendar year.
- g) Rain water harvesting water tanks and STP may be permitted below such open spaces.
- g)h) Irrespective of what is mentioned in a to g above, recreation open space or recreation ground in the case of private layout can be provided on the podium. The ROS or RG in case of private layout shall be for exclusive use by the residents/ occupants of that layout

17.6 RESERVATIONS/ DESIGNATIONS/ ROADS IN "PROHIBITED AREAS"

Reservations/ designations/ roads shown on Proposed Land Use Plan within the areas that are declared as "Prohibited Areas" under Official Secrets Act, 1923, by a Government Notification, shall be for the exclusive use of the population residing in such areas.

Reservations/ designations/ roads shown on Proposed Land Use Plan within the layout, shall be for the exclusive use of the population residing in such layout.

Comment [S2]: * it should be for private use layout

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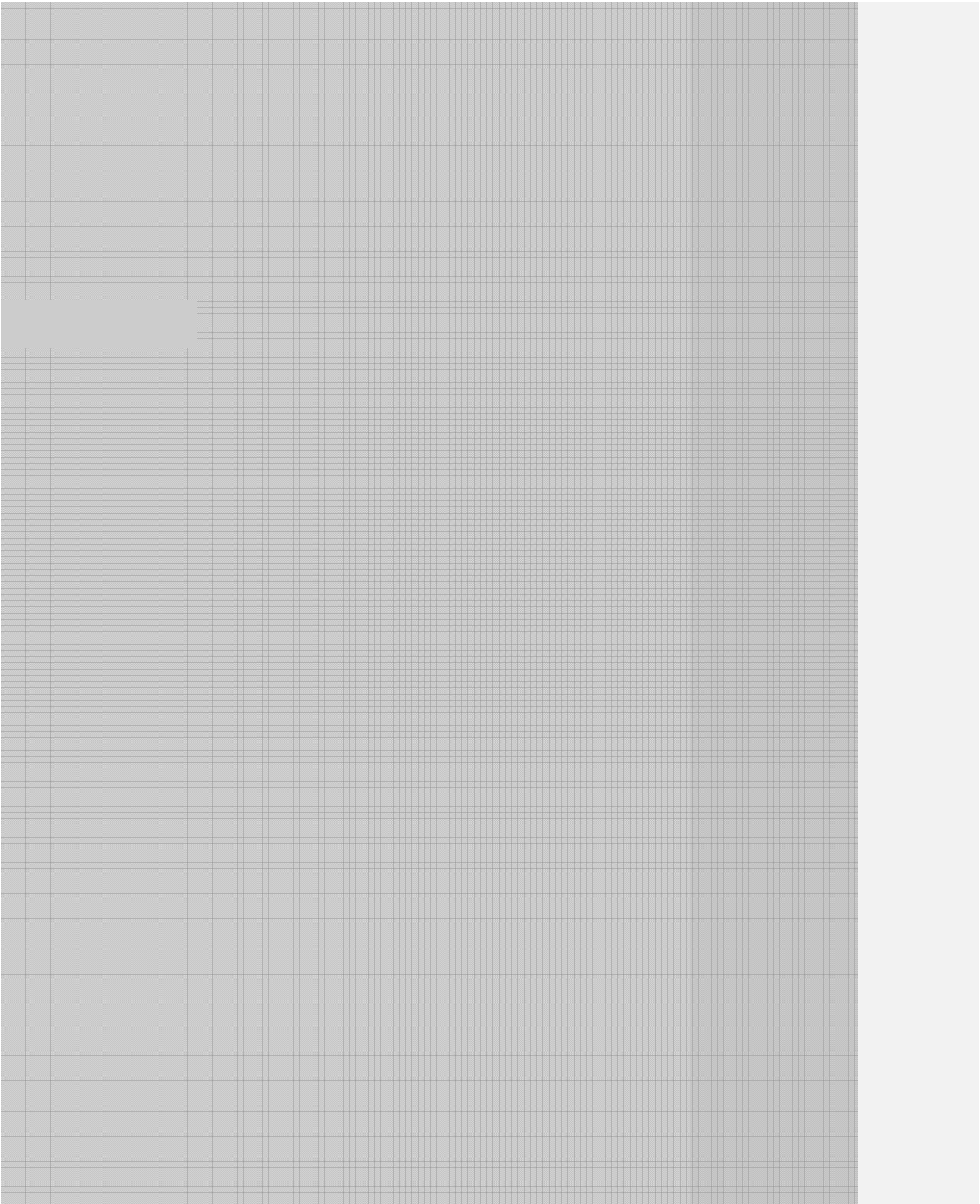
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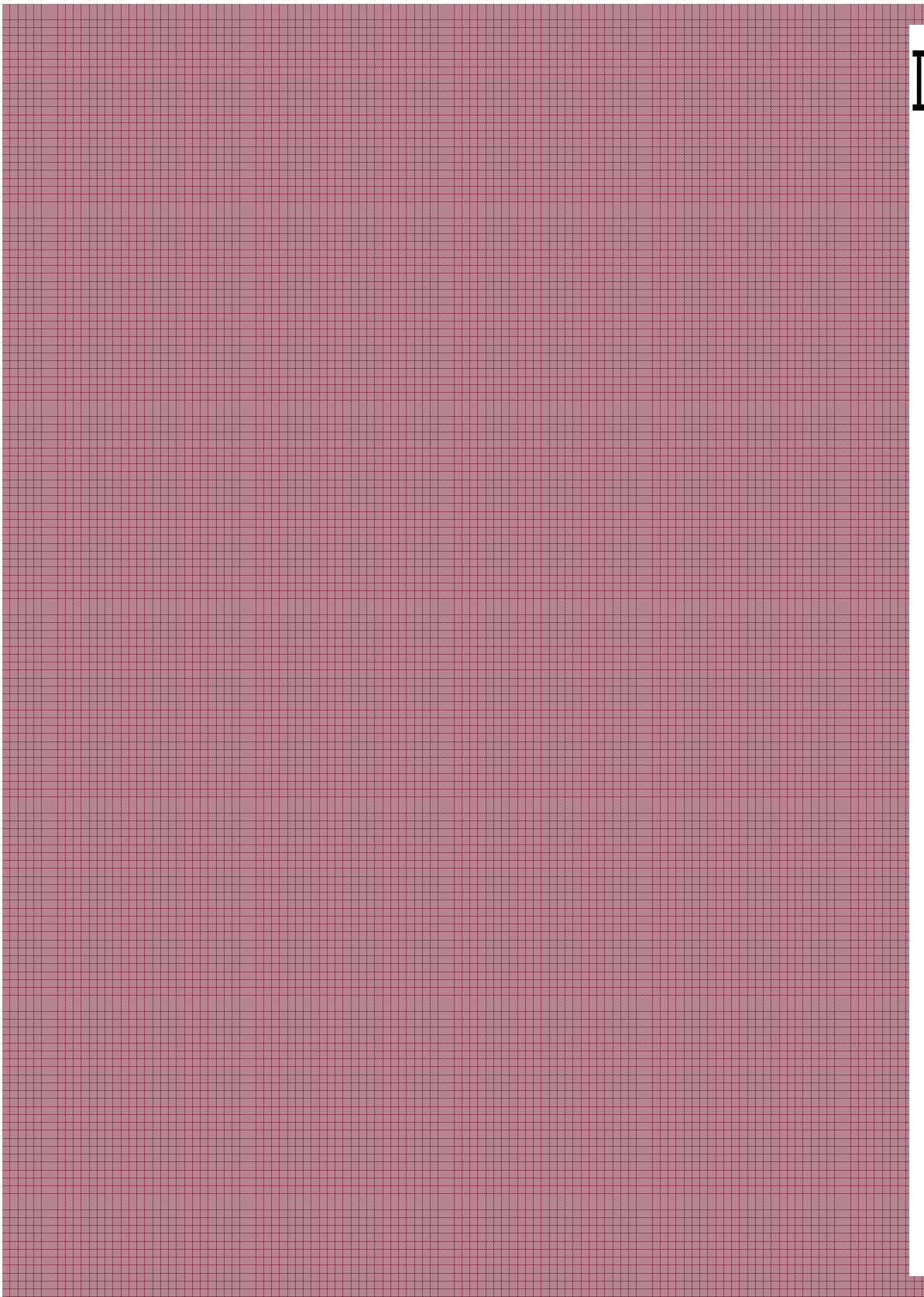
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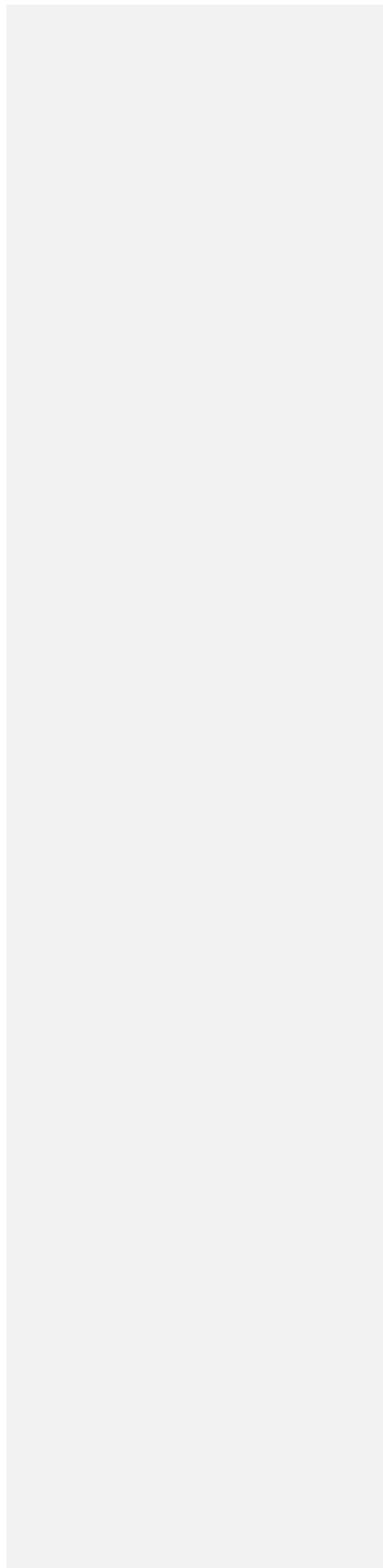
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PART 7. BUILDING DESIGN REGULATIONS

18. BUILDING REQUIREMENTS

18.1 OCCUPANCY CLASSIFICATION

Various occupancies of building shall be classified as shown below:

- a) "Residential Building" means any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or boarding houses, residential hotels, hostels, dormitories, dharamshalas, apartment houses, flats, service apartment, studio apartment and private parking spaces, ancillary structures incidental thereto. ~~Also inclusive of ancillary users in case of hotels, hostels, etc.~~
- b) "Educational building" means a building ~~exclusively~~ used for a school or college, recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as a library, a multipurpose hall, Auditorium ~~exclusive use of students~~ or a research institution, ancillary users. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not, also including building ~~or part thereof~~ used for daycare purposes more than 8 hours per day
- c) "Industrial building" means a building or part thereof wherein products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories
- d) "Assembly building" means a building or part thereof where groups of people congregate or gather for amusement, recreation social, religious, patriotic, civil, travel and similar purposes. Assembly building include building of drama and cinema theatres, "drive-in-theatres, assembly halls, city halls, town halls, auditorium, multiplexes, exhibition halls, cultural centre, museums, mangal karyalayas, skating rinks, stadia, places of worship, dance halls, clubs, gymkhanas, stadia, passenger stations and terminals of road, air, sea or other public transportation services and recreation piers.
- e) "Business building" means any building or part thereof used for transaction of business and/or keeping of accounts and record therefore; offices for the purpose of administration, clerical work, handling money, telephone/computer operation; and "clerical work" includes writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and editorial preparation of matter for publication, banks, professional establishments, I.T. establishments, call centres, offices for private entrepreneurs, court houses, libraries being classified as business buildings, if their principal function is transaction of business and/or keeping of books and records.
- f) "Mercantile building" means a building or part thereof used as shops, stores or markets, malls for display and sale of merchandise either wholesale or retail, office storage and service facilities incidental to the sale of merchandise & located in the same building.

- g) "Institutional building" means a building constructed or used by Government, Semi-Government organizations or registered Trust or persons and used for medical or other treatment, a hostel for working women or for an auditorium or complex for cultural and allied activities or for an hospice care of persons suffering from physical or mental illness, handicap, disease or infirmity care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes dharamshalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.
- h) "Storage Building" mean and include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages hangars, truck terminals, grain elevators, barns.
- i) "Hazardous Building" mean and include any building or part of a building which is used for the storage, handing, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or which may produce poisonous gases or explosions during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition.
- j) "Wholesale Establishment" means and include establishments wholly or partly engaged in wholesale trade, manufacturer's wholesale outlets including related storage facilities, market yards, warehouses and establishment engaged in truck transport including truck transport booking agencies.
- ~~k) "Public Building" means a building used or intended to be used either ordinarily or occupationally by the public such as:~~
- ~~a. Offices of Central or State Government or any public sector undertaking or statutory authority or local authorities;~~
 - ~~b. a church, temple, chapel, mosque or any place of public worship;~~
 - ~~c. Any public or private college, school, library, or place of educational facilities;~~
 - ~~d. Cinema, public concert hall, drama theatre, auditoriums, sports complex, sports facilities, theatre for cultural activities;~~
 - ~~e. Public hall, welfare centres, exhibition hall, or any other place of assembly;~~
 - ~~f. Hospital, maternity home, post partem mortem centres or any other place of medical facility;~~
 - ~~g. Market, shopping centre, departmental stores or malls with or without multiplex or any other place of retail merchandise;~~
 - ~~h. Railway station, Metro/Mono rail station, Bus stations, or any other public transport terminal.~~
- ~~(Special building to be defined)~~
- l) "Unsafe Building" means a building which
- ~~a. Is structurally unsafe,~~
 - ~~b. Is insanitary,~~

- ~~e. Is not provided with adequate mean of egress,~~
 - ~~i) Constitutes a fire hazard,~~
 - ~~ii) Is dangerous to human life,~~

~~d.a. In relation to its existing use constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance. Dilapidation or abandonment.~~

- ~~m) "Temporary building" means any building which is constructed principally of mud, leaves, grass, cloth, thatch, wood, corrugated iron or asbestos cement sheets or such other material and includes a building of whatever size constructed of whatever material which the commissioner has allowed to be built as a temporary measure.~~

18.2 BUILDING DESIGN PARAMETERS

18.2.1 Occupancy Load

Space requirements of various parts of Building etc. This Part sets out the standard space requirements of various parts of a building. Some of these items depend on the number of persons who would normally occupy the building for which the occupant load should be worked out from Table here under:

Table No.20 Occupancy Load (to be verified with building bye laws as well as NBC)

Sr.No.	Type of Occupancy	Occupant load per 100 Sq.Mt. of plinth or covered area
1	Residential	8.00
2	Educational	25.00
3	Institutional	6.60*
4	Assembly: (a) With fixed or loose seats and dance floor (b) without seating facilities including dining rooms	166.60** 66.60**
5	Mercantile: (a) Street floor (b) Upper sale floors	33.30 16.60
6	Business and Industrial	10.00
7	Storage, Wholesale establishment	3.30
8	Hazardous	10.00

The occupant load in dormitory portions of homes for the aged, orphanages or mental hospitals etc. where sleeping accommodation is provided, shall be calculated at not less than 13.30 persons per 100.00 sq.mt.

The plinth or covered area shall include, in addition to the main assembly room or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and space and they are available for use by the occupants of the assembly place. No deductions shall be made in the plinth/covered area for corridors, closets and other sub-divisions; that area shall include all space serving the particular assembly occupancy.

18.2.2 Minimum Room Dimensions

The minimum area and width of rooms shall be as given in the table hereunder:

Table No.21. Minimum Size & Width of Rooms.

Sr.No.	Occupancy	Minimum Size in Sq.Mt.	Minimum width in M.
1	Any habitable room other than kitchen	9.50	3.00 2.40
2	Two-room-kitchen tenement and above		
	(a) One of the rooms	9.50	3.00 2.40
	(b) Other room	7.50	2.40
	(c) Kitchen	5.50	2.10 1.80
3	Kitchen (other than as in 2 above)	8.00 7.50	2.40
4	Single-bedded room in a hostel of an educational institution.	7.50	2.40
4A	Studio Apartment with Alcove	18.00	2.40
5	Shop	6.00	1.20
6	Vending stalls & kiosks	3.00	----
7	Class room in an educational building	38.00 25.00	5.50 4.00
8	Institutional building (health care)-		
	(a) Special room	9.50	3.00
	(b) General ward	40.00 25.00	5.50
9	Cinema hall or Theatre	In conformity with the Maharashtra Cinema Rules.	
10	Bathroom	1.50	1.10
11	Water Closet (W.C.)	1.10	0.90
12	Combined Bathroom and Water Closet (W.C.)	2.40	1.20

18.2.3 Height of Rooms

The minimum and maximum height of a room shall be as given in table hereunder:

Table No.22. Height of Room.

Sr.No.	Occupancy	Minimum height (in meter)	Maximum height (in meters)
1.	Flat roof.		
	(a) Any habitable room	2.75	3.90 4.20
	(b) Bath rooms, water closets	2.20	--“--
	(c) Store Room in Residential Building	2.20	--“--
	(d) I.T. Buildings, Industrial Building, Office Building, Institutional Building, Educational Buildings, Residential Hotels of 3 Star Category and above excluding habitable rooms	3.60 2.75	4.20 4.50
	(e) Assembly building excepting (d) above, hazardous or storage occupancies, Commercial godowns, departmental	3.90	6.00 mtr. More height may be permitted subject

	stores, malls, entrance halls and entrance lobbies , Film shooting studios, exhibition halls, Banquet Hall .		to approval of the Commissioner
	(f) Exhibition cum Convention Center	8.00	15.00 More height may be permitted subject to approval of the Commissioner
	(g)Electricity Receiving/ Transmission /Distribution System and Telecommunication Equipment /Storage/ Erection Facility.	3.90 Can have a height as required for effective functioning of the system(as desired by power supply co.)	Can have a height as required for effective functioning of the system
	(h) Shops, IT, Offices.	2.75	4.20
	<u>(i) Entrance Hall & Entrance Lobbies</u>	<u>2.75</u>	<u>8.40 More height may be permitted subject to approval of the Commissioner</u>
	<u>i) Air conditioned Commercial premises & High Density Housing</u>	<u>2.40</u>	
2.	Pitched roof – Any habitable room	2.75 average with 2.10 M. at the lowest point.	3.90 average with 2.80 M. at the lowest point.

Provided that –

a) The minimum clear head-way under any beam shall be ~~2.40~~ **2.20** M except for pitched roof.

b) In all occupancies except those included in Sr.No.1 (e) and (f) in the table above, any height in excess that mentioned in Table No.22 above shall be deemed to have consumed an additional FSI equivalent to 50.00% of the relevant floor area.

c) Atriums of any height as may be required by the design and aesthetic of the building may be permitted subject to approval of the Commissioner.

b)

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18.2.4 Kitchen

A kitchen shall be treated as ~~non-~~habitable room. Every room to be used as a kitchen shall have-

a) Unless separately provided in a pantry, means for the washing of kitchen utensils, the resultant waste water shall be led directly or through a sink to a grated and trapped connection to the waste pipe.

Comment [s1]: As per NBC definition

- b) an impermeable floor;
- c) At least a window not less than 1.00 sq.mt. in area.

18.2.5 Bathroom and Water Closets

- a) Details of sanitary requirement for various occupancies shall be as listed in Annexure 18.1
- b) A sanitary block consisting of a bathroom and water closet for each wing at ground/stilt level/mid-landing of a staircase of apartment building for the use of servants engaged on the premises shall be provided.
- c) Every bathroom or water closet shall be so situated that at least one of its walls shall abut an exterior open space or an inner/outer chowk of the size specified in Regulation No.18.3.3 and Regulation No.18.3.4 of these Regulations with the openings (windows, ventilators, louvers) not less than 0.30 sq.mts. in area and 0.30 mts. in width.
- d) Bathrooms or water closet shall not be situated directly over any room other than another water closet, washing place, bathroom unless the said floor is made impervious with adequate water-proofing treatment. However, in no case shall a water closet or bathroom be provided over a kitchen.
- e) Every water closet and/or a set of urinals shall be provided with flushing arrangement.
- f) All the sewerage outlets shall be connected to the municipal sewerage system. Where no such system exists, a septic tank shall be provided within the plot conforming to the requirements to Regulation No.18.8.8 of these Regulations.

18.2.6 Society/Apartment Office Room

In every residential apartment building, constructed or proposed to be constructed for the use of a co-operative housing society or an apartment owners association, an office room ~~shall~~ ~~may~~ ~~shall~~ be provided at any floor including at Terrace Floor on the ground floor or first floor or parking floors or on stilt floor. In an already developed property, it may be on an upper floor. The minimum area of the room shall be 12.00 sq.mt., and it shall not be permitted within the required marginal open space of the building.

18.2.7 Balcony

Balconies may be permitted, subject to the conditions that-

- a) No balcony shall reduce the minimum prescribed marginal open space to less than 3.00 mts. at the rear and side, and 1.50 mts. at the front side (s) abutting the road. add as per dcr 91.
- b) The balcony may be enclosed.

18.2.8 Letter Boxes

Letter boxes of appropriate dimensions ~~shall~~ ~~may~~ be provided at a convenient location on the ground floor/ stilt floor/ over podium or any other convenient location for every unit of residential, commercial and

industrial occupancy in each wing.

18.2.9 Meter Room

An independent and ventilated meter room directly accessible from common area, shall be provided on ground floor and/or on upper floors, according to the requirements of the electricity supply undertaking/company. The door to the room shall have fire resistance of not less than two hours.

18.2.10 Diesel Generator Set (D.G. Set) Room

Provision for diesel generator set will be allowed on parking floors, stilt floor, service floor or in first basement. In no case it can be permitted within the required marginal open spaces of side 1 of the building as stated in regulation 18.3.1 table 23. Also in no case it will be permitted on habitable floor or abutting the habitable premises of the building.

18.3 SETBACK AND MARGINAL OPEN SPACES WITHIN BUILDING PLOTS

The general conditions governing marginal open spaces around the building shall be as under:

a) Building abutting more than one street:

When a building abuts two or more streets, the set-backs from each of them shall be such as if the building were fronting each such street.

b) Open spaces separate for each building or wing:

The open spaces required under these Regulations shall be separate or distinct for each building, ~~or wings and where~~ Where a building has two or more wings, each wing shall ~~not require have~~ separate or distinct open spaces as required under these Regulations. Provided that even if habitable rooms of ~~one both of~~ the buildings or wings does ~~not~~ derive light and ventilation from the open space between the two buildings or wings, the said open space shall be the one required for the higher building. Provided further that no open space is required to be provided at the side where both the buildings or wings do not derive light and ventilation.

Comment [s2]: Plans to be added

c) Open spaces to be provided for the desired consumption of development rights:

The open spaces proposed shall relate to the building height necessary to consume the desired development rights (by Applicant) including the component of TDR and Premium FSI if proposed.

d) Manner of computing front open space/setback where the street is to be widened:

If the plot abuts any road which is proposed to be widened under the Development Plan or as per the sanctioned regular line under the Mumbai Municipal Corporation Act, 1888, the front open space shall be measured from the resultant road widening line ~~or from the center-line of such road as the case may be.~~

18.3.1 Marginal Spaces for the proposed height of building.

- a) The open spaces (setbacks) on all sides of a building shall be provided measured perpendicular to the building line as per Table No.23 unless otherwise specified in these regulations.

b)	Building may be proposed with step-backs on upper floors, as per Table No.24 and Table No.25. However proposing building with step-backs is not compulsory unless otherwise specified in these Regulations.
c)	For corner plots, road facing setbacks should be calculated from the line of the chamfer /round off.
d)	The streetscape under Regulation No. SDCR 7 of the Special Development Control Regulation shall supersede the requirements of front marginal open space required to be provided under this Regulation.
e)	For plot which are not rectangle or square in shape, open space in side 1 and 2 and rear shall be calculated on average basis, where the open space does not vary beyond 20%. Provided further, that any plot having length to breadth ratio of more than 2.5 shall not be considered as rectangular shape. in case of odd shaped/ irregular plot boundaries, average open space worked out by dividing area of open space by length, shall be accepted subject to minimum of 3.00 mts. (draft as per reg 31 of der 91)

(Note: Define irregular and odd plots)

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Table No.23 Minimum Set-Backs from sides and rear.

Bldg. Height in M	Min Set-Back in M			
	Front	Side 01	Side 02	Rear
Upto 15.00	1.50	4.50 3.00	3.00 4.50	3.00
30.00	3.00	4.50	4.50	4.50 3.00
70.00	6.00 3.00	6.00	4.50 6.00	6.00 4.50
120.00	9.00 3.00	9.00	9.00	9.00
120.00 & above	12.00 3.00	12.00 9.00	12.00 9.00	9.00

Note: The above Set-Backs can be provided from the ground level or can be composed of Set-Backs as given in table below.

Table No.24. Minimum step back from road side.

Bldg. Height in M	Minimum Front Step-Back (from plot boundary) in M					
	Set-Back	At 15M	At 30M	At 70 M	At 120 M	Total
upto 15.00	1.50	-	-	-	-	1.50 M
Above 15.00 and upto 30.00	1.50	1.50	-	-	-	3.00 M
Above 30.00 and upto 70.00	1.50	1.50	3.00	-	-	6.00 M
Above 70.00 and upto 120.00	1.50	1.50	3.00	3.00	-	9.00 M
Above 120.00	1.50	1.50	3.00	3.00	3.00	12.00 M

Table No.24. Minimum step back from road side.

Bldg. Height in M	Minimum Front Step-Back (from plot boundary) in M
-------------------	---

	Set-Back	Upto 15M	Upto 30M	Upto 45M	Upto 70 M	Upto 120 M	Total
upto 15.00	1.50	-	-	-	-	-	1.53 0 M
Above 15.00 and upto 45.00 30.00	1.50	1.50	-	-	-	-	1.50 M 3.00 M
Above 30.00 and upto 70.00	1.50	1.50	<u>1.50</u>	-	-	-	3.00 M
Above 70.00 and upto 120.00	1.50	1.50	<u>1.50</u>				3.00 M
Above 120.00	1.50	1.50	<u>1.50</u>		<u>1.5</u>		4.50 M 3.00 M

Table No.25. Minimum step-backs from side 1.

Bldg. Height in M	Minimum Side-1 Step-Back (from plot boundary) in M					
	Set-Back	At 15M	At 30M	At 70 M	At 120 M	Total
upto 15.00	3.00 M	-	-	-	-	3.00 M
Above 15.00 and upto 30.00	3.00 M	1.50	-	-	-	4.50 M
Above 30.00 and upto 70.00	3.00 M	1.50	3.00	-	-	7.50 M
Above 70.00 and upto 120.00	3.00 M	1.50	3.00	3.00	-	10.50 M
Above 120.00	3.00 M	1.50	3.00	3.00	3.00	13.50 M

Row Houses for plots upto 250.00sq.mt.

Building Ht.	Minimum Set Back in M			
	Front	Side 01	Side 02	Rear
Ground + 1 st upper. Ht. = 8.00M	1.50	NIL	NIL	3.00

Open Space Requirement in Narrow plots in Residential and Commercial Zones.

Sr. No. (1)	Plot size/dimension (2)	Relaxation (3)
1	Depth/ Width less than 15m.	Rear/ side open space may be reduced to 1.80m.
3	Depth less than 11.5m. but more than 9m.	Front open space may be reduced to 1.50m. and rear open space reduced to 1.8m.
4	Width less than 11.5m. but more than 9m.	One side open space may be reduced to 1.80m. and the other side open space may be reduced to 1.8m.
6	Depth or width less than 9m.	open space may be reduced to 1.5m. all around

Note 1: For buildings proposed with Step-Back as per Table No.24 ~~Table No.25~~ above shall be provided with set-backs on side-2 and rear side as per Table No.23.

2: In case of narrow plots the height of the building should not exceed 30.00 mts. and the area of the plot should not exceed 500.00 sq.mts.

3: For building abutting junction having two of more roads frontages, step-backs can be availed on side-2 and rear side as the case may be.

- e) The set-back Marginal open spaces as well as step-backs shall remain open to sky and free from any encumbrances at all times. A maximum projection of ~~0.60M~~, 0.75M, only for the purposes of weather shading, balconies and other elevational features is allowed within the marginal spaces, subject to a clear height of 6.00 M from the ground in all setbacks for buildings with more than 30.00mt. in height.
- f) Educational buildings, hospitals, mental hospitals, house of correction, assembly buildings, markets, stadia, petrol filling and service stations; minimum space 6.00 M. wide shall be left open on all sides from the boundaries of the plot.

18.3.2. Marginal Open Spaces for Electricity Distribution Stations

Notwithstanding the above, for building to be constructed for exclusive use as Electricity Distribution Stations proposed on the plots owned by the Electricity Supply Company, the marginal open spaces shall be provided as given below:

Table No.26 Marginal open spaces for Electricity Distribution Stations proposed on the plots owned by the Electricity Supply company.

Sr.No.	Building Height	Open Space	
		Front	Side and Rare
1	Upto 24 M	6.00 M	4.50 M
2	Above 24 M upto 35 M	7.00 M	6.00 M
3	Above 35 M.	As required under these Regulations	

18.3.3. Inner Chowk.

- a) Unless it abuts on a front, rear or side open space, the whole of one side of every room other than a habitable room shall abut on an interior open space. Courtyard or chowk whose minimum width shall be 3.00 M Such interior space, courtyard or chowk shall be accessible at least on one side at ground floor level through a common passage or space. ~~Further, the inner chowk shall have an area, at all its levels, not less than the square of one fifth of its height of the highest wall abutting the chowk. The maximum dimension of inner chowk shall not be as required exceed the set back at side or rear as case may be as stated in Table No.23 of Regulation No.18.3.(b)1.~~
- b) ~~If any room (excluding the stairway bay, the bathroom and water closet) depends for its light and ventilation on an inner chowk then the dimension of the chowk shall be such as is required for each wing of the building~~

18.3.4 Outer Chowk:-

The minimum width of an outer chowk (as distinguished from its depth) shall be 2.40 M but if the depth exceeds the width, the open

space between the wings shall be regulated by Regulation No.18.3.3 (b) above, when any habitable room depends on light and ventilation on such outer chowk. A recess less than 2.40 M. wide shall be ~~treated permissible~~ as a notch and not as a chowk.

18.4 PLINTH

The plinth or any part of a building shall be so located with respect to the surrounding ground level such that the building remains above the possible floor level. ~~Survey section of MCGM shall decide the site elevation and accordingly plinth level shall be arrived at.~~

- a) **Main Building** - The height of the plinth shall not be less than 30 cm above the surrounding ground level. In areas subject to flooding, the height of the plinth shall be at least 60 cm above the high flood level ~~or as per remarks of Survey Section.~~
- b) **Interior court-yard, covered parking spaces and garages-** These shall be at the level of surrounding ground level and shall be satisfactorily drained.

18.5 LIGHTING AND VENTILATION

18.5.1 Adequacy and manner of provision:

All parts of any habitable room shall be adequately lighted and ventilated. For this purpose every room shall have.

- a) One or more apertures, excluding doors, with area not less one -sixth of the floor area of the habitable room or 1 Sq.M whichever is more, with no part of any habitable room ~~including~~ excluding kitchen being more than ~~7.50M~~ 18.00 mts. ~~10.00 mts.~~ away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more opening, their area taken together measuring not less than 1.00Sq.M per landing on the external wall;
- b) an opening with a minimum area of 0.20 Sq. M with one dimension of size 0.30 M for any bathroom, water closet or store;
- c) all the walls, containing the opening for light and ventilation fully exposed to an exterior open space either directly or through a verandah not exceeding 2.40 M in width provided that a room meant for non- residential user shall be considered as adequately lighted and ventilated if its depth from the side abutting the required open space does not exceed 18.00 mts. ~~15.00 mts.~~ ~~12.00 M.~~

18.5.2 Artificial ventilation shaft

A bathroom, kitchen, water closet, toilets, staircase or store may abut a ventilation shaft, the size of which shall not be less than the values given below:

Table No.27. Artificial ventilation for Bathrooms, Kitchen, Water Closets, Toilets, Staircase and stores.

Height of building in	Area of ventilation shaft in	Minimum dimension of
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M.	Sq.M.	one side of shaft in M.
Upto 12	2.80 3.50	1.20
Upto 18	4.00	1.50
Upto 24	5.40	1.80
Upto 30	8.00	2.40
Above 30	9.00	3.00

In such ventilation shafts, mechanical ventilation system shall be installed. Further, such ventilation shaft shall be adequately accessible for maintenance **with service door in external wall of Bathrooms, water closets & toilets.**

18.5.3 Artificial Lighting & Mechanical Ventilation

Where lighting and ventilation requirements are not met through day-lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of part VIII, Building Service Section I, Lighting and Ventilation, National Building Code.

18.6 ADDITIONAL SPACE

18.6.1 Loft

- a) **Location** : Lofts may be provided over kitchen, habitable rooms, bathrooms, water closets and corridors within a dwelling unit in residential building, in shops and in commercial and industrial buildings.
- b) **Height** : The clear head-room under a loft shall not be less than 2.20M and that above the loft shall not be more than 1.50 M. If it exceeds 1.50M, it shall be counted towards FSI.
- c) The lofts in non-residential buildings shall be located at least 2.00M away from the entrance.

18.6.2 Mezzanine Floor

- a) **Size** – The aggregate carpet area of mezzanine floor in any room shall not exceed 50% of the carpet area of that room. The area of mezzanine floor shall not be less than 9.50 Sq.M. if it is used for habitable room. The area of the mezzanine floor shall be counted towards FSI **except for balance 50% part of the room.**

Note – Lofts having head room more than 1.50 M above the loft floor, shall be treated as mezzanine floor.

- b) **Height** : The minimum height/head-room above and beneath of a mezzanine floor shall be 2.20M.
- c) **Other Requirements**- A mezzanine floor may be permitted over a room, if
 - i) In case its size is 9.50 Sq.M. or more which can be a habitable room if it conforms to all the other requirement of a habitable room of these regulations.
 - ii) It is so constructed as not to interfere under any circumstances with the ventilation of the space over and under it;
 - iii) No part of it is put to use as a kitchen.

- iv) It is not closed, so that it could be converted into an unventilated compartment:
- v) It is at least 2.00M away from the ~~front~~ wall deriving access of such room:
- vi) Access to the mezzanine floor is from within the respective room below only:
- vii) Where it is in an industrial building, it is subject to NOC from Fire Department of M.C.G.M.

18.6.3 Refuse Chute

Separate refuse chutes may be provided with openings on each floor or on mid-landing. Design and specifications of refuse chutes shall be in accordance with IS 6924:1973 Code of practice for the construction of Refuse Chute in Multi-Storied Building and section 5,9, Part 9: Plumbing Services of National Building Code.

18.6.4 Service Floors

For diverting utilities and services etc., service floors will be permitted with floor to floor height not exceeding ~~1.80-2.10M~~. However, in case of buildings above 120 mtr., star category Hotels, institutional buildings, educational/medical building, office buildings, malls etc: service floor with height more than ~~1.80-2.10M~~, as per the requirement of the services, may be permitted with the special sanction of the commissioner.

18.6.5 Refuge Areas

a) Location of Refuge Area within building line.

- i) The refuge area shall be provided at floor level.
- ii) The refuge area shall be so located that it shall preferably face the access road/s or face the wider open space on the side of the building, perpendicular to the main access road.
- iii) The refuge area shall be provided with railing/parapet of 1.20M in height.
- iv) In case of buildings having height more than 30.00 M, first refuge area shall be provided at 30.00M or 1st habitable floor, whichever is higher. Thereafter, the refuge area shall be provided after every 7th floor. The refuge area shall be 4% of the habitable floor area it serves. If it exceeds 4%, the excess area shall be counted in FSI.
- v) The lift/s shall not be permitted to open directly into the refuge areas and shall be accessible from common passage/staircase.
- vi) In case of buildings upto 30.00 M height, the terrace floor of the building shall be treated as the refuge area. The access door/s from the enclosed passage/s and staircase/s to the terrace floor shall have louvers at top half portion of the door.
- vii) Step-backs if provided as per Regulation No.18.3.1, Table No.24 and Table No.25 may be treated as refuge area.
- viii) The refuge area shall have a door which shall be painted or fixed with a sign in luminous paint mentioning "REFUGE AREA"

b) R.C.C. Cantilever Refuge Areas:

Notwithstanding clause (a) for buildings having height above

30.00 M, as an alternate, refuge areas can be provided as R.C.C. cantilever projections on side and rear open spaces at the alternate mid-landing level of staircase. Such refuge area at mid-landing shall have a minimum width of 3.00 M and minimum area of 10.00 Sq.M for residential building and 15.00 Sq.M. for non-residential buildings. In no case the distance from the plot boundary of such cantilevered refuge area shall be less than 1.20 M. R.C.C. covering shall be provided above the topmost cantilever refuge area.

c) Use of Refuge Area:

- i) The refuge area shall be earmarked exclusively for the use of occupants as temporary shelter and for the use of Fire Brigade Department or any other organization dealing with fire or other emergencies when occur in the building and also for exercises/drills if conducted by Fire Brigade Department..
 - ii) The refuge areas shall not be allowed to be used for any other purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments' at all times.
- d) Facilities to be provided at refuge area**
- i) Refuge area shall be provided with adequate emergency lighting system.
 - ii) The necessary facilities such as drinking water taps, first-aid box etc shall be provided.

18.6.6 Fire Check Floors

A high rise building having height more than 70.00 M. shall be provided with fire check floor shall not be more than ~~1.80-2.10~~ M The fire check floor (entire floor) at every 70.00M level height of the fire check floor shall not be used for any purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments at all times. Periphery of the Fire Check floor shall not be enclosed. Fire drenches shall be provided at the periphery of each fire check floor externally.

18.6.7 Basement

- a) Basement may be provided in one or more levels but not exceeding depth of ~~10.5 mtrs.~~ 15.00 M. For multi level mechanically operated parking installations depth exceeding 15.00 mtr. shall be permitted.
- b) The basement shall not be constructed in the required front open space or under amenity spaces or public roads. The open space between the basement and the boundaries of the plot shall not be less than 1.50 M.
- c) **Height** - The height of the basement from the floor to the underside of the roof-slab or under side of a beam when the basement has a beam shall not be more than ~~4.20 mtr. 3.00 M~~ and ~~3.60 mtr. 2.40 M~~ respectively. For installation of Electricity Consumer Sub station/Distribution Sub Station and for multi-level mechanically operated parking installations, bus parking additional height can be permitted. The minimum height of the

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topmost basement shall be 0.15 mtr. ~~0.60 M~~ and maximum height may be 1.20M above the average surrounding ground level.

- d) **Ventilation** – The extent of ventilation shall be the same as required by the particular occupancy for which the basement is used. Any deficiency must be made good by resort to a mechanical system, viz. blowers, exhaust fans, air-conditioning system, accordingly to the standards in Part VIII Building services section I-Lighting and Ventilation, National Building Code.
- e) **User permitted** – A basement may be put to the following user only:
- i) **Parking of Vehicles;**
 - ii) (a) Storage of household or other non-hazardous goods;
(b) Store rooms , bank lockers or safe deposit vaults;
 - iii) Air conditioning equipment /AHU and other machines used for services and utilities of the building;
 - iv) D.G. sets room, Electric meter room;
 - v) Dry type Electricity Consumer Sub Station/Distribution Sub Station, along with the ancillary installations necessary for effective functioning of the system shall be permitted which shall comply with all the safety precautions insisted by the concerned Electricity Distribution Company.
 - vi) Effluent Treatment Plant, suction tank, pump room
 - vii) MRI & X-Ray Rooms, CT Scan, Sonography
 - viii) Shops, clubhouses, fitness centre, society office, gymnasiums, recording studios, staff toilets -and offices may also be permitted ~~subject to compliance of requirement of habitable rooms.~~
ix) other non residential users other than users specified in assembly buildings.

The users from Sr.No.(e) (iii) to (v) and (vii) to (ix) shall be permitted in the 1st basement only, subject to the requirements regarding access, safety (including fire safety), light and ventilations etc. being complied with.

- f) **Other Requirements-** Every basement shall meet the following specifications:
- i) Adequate arrangement shall be made to ensure that the surrounding surface drainage does not enter the basement.
 - ii) The walls and floors of the basement shall be water-tight and withstand the effect of the surrounding soil and moisture.
 - iii) Any access to the basement through a staircase or pedestrian ramp shall meet requirements of Regulation No.18.7.2 and Regulation No.18.7.3 of these Regulations.

18.6.8 Podium

- a) A podium may be provided with one or more levels. However the top of podium floors may be used for gardens/swimming pool/recreation purposes without any roof.
- b) In case of podium parking without ramps, the number of car lifts shall be provided as below:

- i) Upto 200 parking – minimum two car lifts.
- ii) or each 100 parking or part thereof, beyond 200 parking – one car lift.
- c) Podium may be extended beyond building line at front side, provided required front open space is available, beyond podium line.
- d) No ramp shall be provided in the marginal open spaces **being used as Access for Fire Engine**. However, where podium is accessible to fire appliances, the other sides marginal open spaces **from the edge of the podium** shall not be less than 1.50 M from the plot boundary.
- e) Ramps may be provided in accordance with Regulation No.18.7.3 of these Regulations.
- f) The podium provided with ramp may be permitted in one or more levels with total height not exceeding ~~24.00~~**30.00**M. However, podium not provided with ramp but provided with minimum two car lifts may be provided in one or more levels with total height not exceeding ~~9.00~~**30.00**M above ground level. The podium provided with mechanized multi level car parking may be permitted with the height required for providing parking as per norms.
- g) Adequate area for drivers ~~sanitary block rest rooms and sanitary block toilet~~ shall be provided on ~~every~~ podium ~~floor~~ used for parking at the rate of one toilet seat and urinal for every ~~per 100~~**50** cars. The drivers rest room shall be provided on podium used for parking at rate of one room of 15 sq. mtr. for 100 cars and above.
- h) Courtyard/ramp/podium accessible to fire appliances shall be capable of taking the load up to 48 tonnes. These shall be free from any obstruction & shall be motorable.
- i) Where podium is used for parking, the edge along the road ~~shall~~**may** be provided with active use such as shops, Commercial displays/ Showrooms, gymnasiums etc. upto a depth of 6.00 M and by counting in FSI.
- j) In addition, podium may be put to the following uses only:
 - i) Parking of Vehicles:
 - ii) Air conditioning equipment /AHU and other machines used for services and utilities of the building;
 - iii) D.G. sets room, Electric meter room;
 - iv) Dry type Electricity Consumer Sub Station/Distribution Sub Station, along with the ancillary installations necessary for effective functioning of the systems shall be permitted which shall comply with all the safety precautions insisted by the concerned Electricity Distribution Company.

18.6.9 Creche for institutional, assembly, business, mercantile and

industrial buildings

A Creche of minimum 40.00 Sq.M built up area shall be provided for institutional, Assembly, Business or Mercantile Building where total built-up area is ~~2,000~~ 5,000 Sq.M or more.

18.7 INGRESS AND EGRESS PROVISIONS**18.7.1 Number and width of exits**

The width of an exit, stairway/corridor and exit door to be provided at each floor in occupancies of various types shall be as shown in columns 3 and 5 of Table No.28 hereunder. Their number shall be calculated by applying to every 100.00 Sq.M of the plinth or covered area of the occupancy, the relevant multiplier in columns 4 and 6 of the said Table, fractions being rounded off upward to the nearest whole number.

Table No.28. width and number of exits for various occupancies

Sr. No.	Type of Occupancy	Stairway/Corridor		Door Minimum Width in M	Exit Multiplier
		Minimum Width in M	Multiplier		
(1)	(2)	(3)	(4)	(5)	(6)
1	Residential Dwellings row-housing (2storeys) hotels	1.20 0.75 1.50	0.145 0.213 0.107	---- ---- ----	 0.053
2	Educational- -upto 24.00 <u>30.00</u> M high - over 24.00 <u>30.00</u> M high	1.50 2.00	0.333 0.250	---- ----	 0.667
3	Institutional i.e. Hospitals- -upto 10 beds -over 10 beds	1.50 2.00	0.089* 0.067*	---- ----	0.044 0.044
4	Assembly** -Fixed seats or loose seats and dance floor. -no seating facilities and dinning rooms.	2.00 2.00	0.694 0.278	1.0 ---- ----	---- 0.926 0.370
5	Mercantile- -street floor and basement -upper sales floors	1.50 1.5	0.222 0.111	---- ----	0.222 0.111
6	Business, Industrial	1.5	0.067	----	0.067
7	Storage	1.5	0.022	----	0.022
8	Hazardous	1.5	0.133	----	0.125

- For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multiplies will be doubled.

- The plinth or covered area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storey above or below where entrance is common to such rooms and space and they are available for use by the occupants of the assembly place.
- No deductions shall be made in the gross area of the corridors, closets or other sub-divisions. All space serving the particular assembly occupancy shall be reckoned.

18.7.2 Width of corridors and Stairways

- a) The minimum width of Corridors and Stairways shall be as given in Table No.29.

Table No.29. Minimum width of common Stairways/Corridors for various occupancies.

Sr. No.	Type of occupancy	Minimum width of Stairway /corridor (In meters) for buildings up to 70.00 M height	Minimum width of stairway/ corridor (in meters) for buildings more than 70.00 M height.
1	Residential building		
	(a) General	1.20	1.50
	(b) Row Housing (2 storied) or internal staircase in duplex flat	0.90	--
	(c) Hotels	1.50	2.00
2	Educational buildings-		
	(a) Up to 30.00 M high	1.50	--
	(b) Over 30.00 M high	2.00	--
3	Institutional building (i.e. hospitals)-	1.50	2.00
4	Assembly buildings	2.00	2.00
5	Mercantile storage, hazardous buildings	1.50	2.00
6	Industrial Bldg.	1.50	

- b) **Flight** - No flight shall contain more than 12 risers without mid-landing.
- c) **Risers** - The maximum height of a riser shall be 17.50 cm in any occupancy. However, on an internal stairway within a dwelling unit, a riser up to 25cm height may be permitted.
- d) **Treads** - The minimum width of the tread without nosing shall be 25cm for staircase of a residential building, other than fire escapes. In other occupancies, the minimum width of the tread shall be 30cm. It shall have a non-slippery finish.
- e) **Head-Room** - The minimum head-room in a passage under the landing of a staircase and under the staircase shall be 2.20 M.
- f) **Floor Indicator** - The number of each floor shall be conspicuously painted in figures at least 15cm large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from

- the flights.
- g) **Hand Rail** – Handrails with a minimum height of 0.90 M from the centre of the treads shall be provided.
 - h) Except for the row houses or for the internal staircase of a duplex tenement, no staircase shall be made of wooden or other combustible material.
 - i) For any mixed use building, separate staircase shall be provided for the non-residential users separating the ingress and egress of residential premises.
 - j) ~~Corridors and Stairways identified as fire exits shall confirm to the relevant provisions of National Building Code.~~

18.7.3. Ramps

a) Ramps for pedestrians-

- i) **General** - The provision applicable to stairways shall generally apply to ramps. A ramp in a hospital shall not be less than 2.25 M wide. In addition, to satisfy the fire-fighting requirements, a ramp shall conform to Regulation No.28.3.3., Table No.61 of these Regulations.
- ii) **Slope** – A ramp shall have a slope of not more than 1 in 10.
- iii) **Handrail** – A handrail shall be provided on both the sides of the ramp with minimum height of 0.90 M above the surface of ramp.
- iv) Ramps for pedestrian access shall not be provided with in the required marginal open space. **Where such marginal open space is used as fire engine access.**
- v) For every 9.00M of ramp length, a landing of 1.50M shall be provided.
- vi) Surface of the ramp shall be finished with non-slippery material.
- vii) Entrance landing of minimum 1.50M in length shall be provided for every entry and exit from ramp.

b) Ramps for basement or storeyed parking.

- i) For parking spaces in a basement and upper floors, one two-way ramp of clear width of ~~6.90M~~ **6.00 mts.** without divider (or ~~8.4M~~ **7.50**—with divider) or at least two separate ramps of minimum ~~4.20M~~ **3.00 mts.** clear width shall be provided preferably at the opposite ends.
- ii) In case of ramp on curve the minimum radius of the inside curved edge shall be 4.50 M.
- iii) Slope of the ramp shall not be more than ~~1:10~~ **1:8** Ramps shall not be permitted in any marginal open spaces of the building where ~~it is~~ **such marginal open space is** used as fire engine access and fire engine maneuvering area.
- iv) For negotiating ramp with floor area minimum 3.60 M transition space with tactile finish shall be provided.
- v) In case of residential buildings total car parks less than 30 100 nos., single ramp of ~~4.50~~ 3.60 mts.width with signaling system shall be permitted.

18.7.4 Lifts

Planning for Lifts in terms of number, type and capacity of lift shall follow the procedure given in Part VIII, Building Services- National Building Code of India, Section 5- Installation of Lifts and Escalators, Para 6- Preliminary Design. ~~In addition, the following provisions shall apply.~~

- a) ~~At least one lift shall be provided in every building more than 14.00 M in height. In case of buildings more than 24.00 M 30.00M high at least two lifts shall be provided. One of these lifts shall be fire lift and shall be in conformity with the fire safety Regulation No.28.3.3, Table No.61. Sr.No.9 of these regulations. One Additional lift over every additional 24.00 M or part thereof shall be provided.~~

~~However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor.~~

- b) ~~For building with height greater than 14.00 M, for residential building, one lift for every 20 dwelling units of all floors above 12.00 M height shall be provided and for commercial building one lift for every 1,000 Sq.M built up area or part thereof shall be provided or shall be provided as per the requirement of height as mentioned in (a) above, which ever is more~~
- c) ~~In the case of building more than 24.00 M 30.00 M high at least two lifts shall be available for every dwelling unit except those situated on the ground and first floor without having to climb or to go down more than one floor. Provided that in the case of a building with ground floor used as stilt parking and upper floors not exceeding 22.50 M in height (building height measurement from the top of stilt floor) the provision of a second lift may not be insisted upon.~~
- d) ~~Second lift shall be of size and shape such that it can be used as stretcher lift as well as freight lift.~~
- e) ~~For building with more than two lifts, minimum one lifts shall provide access to the lowest level of basement.~~
- f) ~~The minimum capacity of lift shall be for six persons.~~
- g) ~~A t least one lift per building or wings of a building shall be available from the general ground level/ public road level upto the terrace floor level.~~

h) Other requirements

- i) ~~At ground floor level, a grounding switch shall be provided to enable grounding the lift cars in an emergency.~~
- ii) ~~The lift machine room shall be separate and no other machinery shall be installed therein.~~
- iii) ~~The number of each floor shall be conspicuously painted in figures at least 15cm. large on the wall opposite the lift/lifts opening or on other suitable surface so as to be distinctly visible from the lift cage.~~
- iv) ~~The lift cabin shall be equipped with visible as well as audible~~

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- devices to indicate the respective floor level.
- ~~vi) The lift monitoring buttons shall also be embossed with Braille notations.~~
- ~~vii) Handrail shall be provided along both sides of lift cabin walls at a height of 1.00 M from the floor of lift car.~~
- ~~viii) The minimum area of passenger lift cabin shall be 2.20 Sq.M with clear opening of 0.90M. The minimum 1.50 M X 1.50 M size lift handing area shall be provided at every entry/exit point of lift~~
- ~~ix) A new lift with passage thereto in an existing building with height upto 16.00 M may be permitted with the permission of the commissioner.~~
- ~~x) All other aspects of installation and maintenance of lift and escalators shall be governed by part VIII, Building Services National Building Code of India, Section 5 Installation of Lifts and Escalators.~~
- ~~NBC TO BE FOLLOWED AS AGAINST THE DRAFT~~
- ~~Upto 30 mts. 2 lifts to be provided.~~

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18.8

OPEN TO SKY BUILDING FEATURES

18.8.1 Roof

- a) Effective drainage of rain water : The roof of a building shall be constructed or framed as to permit effectual drainage of the rain water there from by means of rain water pipes at the scale of at least one pipe of 10cm diameter for every 40.00 Sq.M of roof area. Such pipes shall be so arranged, jointed and fixed as to ensure that the rain water is carried away from the building roof.
- b) Connecting rain water to storm water drain : Rain water pipes shall be connected to rain water harvesting structure if required to be provided under these Regulations or to a drain through a covered channel formed beneath the public footpath or connect the rain water pipes to the road side storm water drain or in any other approved manner.

18.8.2 Terrace

Terraces shall not be sub-divided and shall be accessible by a common staircase and lift. Terrace area shall always be open to sky and shall not have obstructions for easy movement of wheel chairs over the open to sky area of terrace.

~~Part terrace or pocket terrace which abuts the habitable room, except for the step back area as mentioned in Regulation No.18.3 and refuge area as mentioned in Regulation No.18.6.5 of these Regulations, shall be counted in FSI.~~

18.8.3 Parapet

Parapet walls and hand-rails provided on the edges of the roof terrace, balcony, ramp etc. shall not be more than ~~1.10~~ 1.50 M in height from the finished floor level.

18.8.4 Porch/ Canopy

A porch/canopy, if any, may be permitted in front ~~or side or rear~~ open space and shall be at least 1.50 M clear of the plot boundary. The top of the porch/ canopy shall be at least 0.50 M below the

level of the floor immediately above the canopy/ porch.

18.8.5 Boundary Wall

- a) ~~In CR Zone, no compound wall along the streets shall be constructed. Front marginal open space shall be levelled and paved at the same level as the adjacent footpath.~~
~~Where shopping pro at gr floor no comp wall~~
- b) Except with the permission of the Commissioner, the height of a boundary wall shall not exceed ~~1.50~~ 2.40 M above the level of the centre line of the front street. A boundary wall ~~upto~~ above 2.40 M height may be permitted if the top 0.90 M is of open type construction, to facilitate through vision.
- c) At a corner plot, the height of the boundary wall shall be restricted to 0.75 M for a length of 10.00 M on the front and side of the intersection and the balance height of 0.75 M if required in accordance with (b) above shall be provided with grill fence/ railing.
- d) The provisions of (a) and (b) above will not apply to the boundary walls of correction facilities (jails and prisons).
- e) In case of electric sub-stations, transformer stations, institutional buildings like sanatoria, hospitals, educational building like schools, colleges, including hostels, industrial buildings and other user of public utility undertaking, a height upto ~~2.40~~ 3.30 M may be permitted ~~by the Commissioner.~~
- f) For Recreational Open Space (ROS) such as Recreation Ground/ Playground, the height of boundary wall shall not be higher than 0.45 M and shall have width of 0.60 M or higher and shall have smooth top finish which can be comfortable for seating purpose. However, for Gardens and Parks ~~with the special permission of the Commissioner,~~ boundary wall upto 1.50 M height may be permitted if the top 0.90 M is of open type construction, to facilitate through vision.

18.8.6 Boundary Gate Entrance

- ~~The boundary gate to a plot shall be provided at least 3.00 M inside the boundary wall in order to avoid vehicles occupying road space while opening the gate. The main entrance/ boundary gate to a plot shall be at least 4.50 M wide and shall be so designed as not to obstruct easy movement of a fire engine or truck.~~
- a) Entrance Gate/ Boundary gate shall not open outwards in such a way that it can obstruct the pedestrian movement/road traffic in any manner.
- b) The boundary gate shall not be permitted on the curvature of the boundary wall.
- c) If the building is proposed with stilts, the access to the parking in the stilts shall not be permissible directly from public road through gate from the boundary wall.
- d) The Curb cuts required for deriving access from the carriage way shall be as specified in Table No.39 of these Regulations.

18.8.7 Overhead Water Tanks

Every overhead water storage tank shall be provided with properly fitting hinged mosquito/ insect-proof cover. Every overhead water tank shall be provided with a permanently fixed iron ladder to enable inspection. Distance between the terrace and the bottom of the overhead water tank shall not exceed 1.50 M. Capacity of the tank shall be worked-out at the rate of 135 lpcd calculated at 5 persons per tenement and half of this capacity shall be provided at overhead water tank and half to be provided at underground water tank..

18.8.8 Septic Tanks

Septic tank when required shall be designed, constructed and maintained according to the part 3 Development Control Rules and General Building Requirements, Sr.No.12.15, National Building Codes.

18.9 RESTRICTIONS ON DEVELOPMENT IN CERTAIN AREAS

18.9.1 Funnel of Vision

Preserving the view from the Phirozshah Mehta Garden

- a) Notwithstanding anything contained in these Regulations, to preserve the view from the Phirozshah Mehta Garden on Malabar Hill, funnel of visions have been marked on the proposed land use plan of 'D' Ward. Building within the funnel of vision shall not be erected or raised above Reduced Level 75.44 M with reference to Town Hall Datum.
- b) The height restriction as in clauses (a) above will apply only to the portion of a plot falling within the lines of the funnel of vision as marked on the proposed land-use plan.

18.9.2 Aerodrome Vicinity Areas

For structure, installations or buildings in the vicinity of aerodromes, the permissible height shall be as shown in Table No.30 hereunder or such greater height as may be permitted by the Civil Aviation Authorities.

Table No.30 The permissible height for buildings in the vicinity of aerodromes.

Serial No.	Distance of Building, Structures or Installations, measured horizontally, from aerodrome reference point			Permissible height of structure or installation/ buildings above mean sea level.
	International airports and alternate	civil their	Other Civil airport and aerodromes	
1	Between 8,535 M. and 22,000 M.		Between 7,925 M and 22,000 M	152.00 M
2	Between 7,315 M. and 8,535 M.		Between 6,706 M and 7,925 M	122.00 M
3	Between 6,096 M. and 7,315 M.		Between 5,486 M and 6,706 M	91.00 M
4	Between 4,877 M. and 6,096 M.		Between 4,267 M and 5,486 M	61.00 M
5	Between 4,267 M. and 4,877 M.		Between 3,658 M and 4,267 M	45.00 M*
6	Between 3,658 M. and		Between 3,048 M and	36.00 M*

	4,267 M.	3,658 M	
7	Between 3,048 M. and 3,658 M.	Between 2,438 M and 3,048 M	24.00 M*
8	Between 2,438 and 3,048 M.	Between 1,829 M and 2,438 M	12.00 M*
9	Less than 2,438 M	Less than 1,829 M.	Nil except with the concurrence of the Civil Aviation Authorities.

Note: * Height limits shall also be applicable for tree heights and street light heights.

18.9.3 Railway Buffer

For structure, installations or buildings in the buffer zone of 30.00 M on either side of railway, the distance between the railway boundary and the building line shall be atleast 50% of the height of proposed building at each floor level subject to minimum open spaces at ground level as specified in these Regulations. The step-backs thus generated will be allowed free of FSI.

18.10

BUILDING SERVICES

18.10.1 Water Supply Requirements and Sanitary Installations

Provisions for Water Supply distribution and installation shall be as per the "Water Bye-Laws", approved and published by M.C.G.M. from time to time under section 461(a) & (b) of the M.M.C. Act. The planning, design, construction and installation of water supply, drainage and sanitation of building shall be in accordance with the Part 9 Plumbing Services Section 1, Water Supply, Drainage and Sanitation of National Building Code, 2005 as amended from time to time.

18.10.2. Solid-Waste Management

The planning design, construction and installation of Solid Waste Management System shall be as per the Regulation No.39 of these Regulations.

18.11

MEP TO BE CONSULTED ON THIS MATTER-(SHRI. DAISARIA) PROVISION FOR ELECTRICITY DISTRIBUTION STATIONS

The requirements of Electricity supply company for installation of electricity distribution stations shall be met with in following manner:

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Table No.31 Requirement for Installations of Electricity Distribution Stations.

Sr. No.	Type of Installation	Location of Provision	Maximum Permissible Size	
1.	Consumer Sub-Station (CSS)	For plots upto 1,000 Sq.M. area CSS shall be provided within building premises. For plots having area more than 1,000 Sq.M. if CSS cannot	Plot Size	Plot area
			Upto 1,000 Sq.M	Nil
			1,000 Sq.M to	40.00

		be accommodated within the building premises then it may be permitted on the plot outside the building premises provided it shall not reduce the marginal open spaces as required under these Regulations.	2,000 Sq.M 2,000 Sq.M to 4,000 Sq.M Above 4,000 Sq.M	Sq.M 66.00 Sq.M As per Sr.No.2
2.	a.Distribution Sub-Station (DSS) b.Receiving Station (Rs)	1. In the premises of Electricity Supply Company OR 2. On any development admeasuring above 4.00 Ha in area OR 3.On a public open space. Such use shall only be provided underground.	FOR DSS – a Max.1,200 Sq.M FOR RS – b.Max. 3,500 Sq.M No size restriction for development in the premises of Electricity Distribution Company.	
3.	Extra High Voltage Receiving Station (EHVRS)	In the premises of Electricity Distribution Company.	As per the requirement of Electricity Distribution Company.	

Note:

- a) The provision for Consumer Sub-Station (CSS) shall not be made mandated by the Electricity Distribution Company in each development. The experts in Electricity Distribution Company shall access the requirement of CSS considering the existing facilities available in the neighborhood. In case of any grievances in requirement of CSS, the owners/developers may appeal to the Commissioner for redressal as per the appeal procedure provided under Regulation No.9 of these Regulations. Municipal Commissioner's decision shall be building on both the parties.
- b) If the CSS is forming a part of a building, it shall comply with all the safety precautions insisted by the concerned Electricity Distribution Company.
- c) If the CSS is forming a part of a building, additional height as may be required for its installation will be permitted without taking in to account the FSI parameter for such height.
- d) Distribution Sub-Station (DSSs)/ Receiving Stations (RSs) may be permitted to be constructed below public open space in such a way that the effective area occupied by the DSS shall not exceed 20% of the developed area of such public open spaces.
- e) Specific permission of the MCGM shall be obtained for constructing underground DSS/RS under public open space which shall be subject to usual terms and conditions and applicable payments.
- f) The area for ingress and egress for effective functioning of DSS/RS shall not be more than 100.00 Sq.M and no construction shall be permitted above ground level.

- g) Such allotted public spaces shall be developed and maintained by the concerned Electricity Distribution Company at its own cost, as directly by the Commissioner.
- h) Except for the locations where land belonging to the Electricity Supply Company, installation of Sr. 1 to 2 in Table No.31 above shall be permitted free of FSI.
- i) For installation of Sr.1 to 3 in Table No.31 above, the height as required by the technical requirements of such installations and the ancillary installation necessary for effective functioning of the system shall be permitted without taking in to account the height parameter in FSI.

19 SPECIAL DESIGN REQUIREMENTS

19.1 EDUCATIONAL BUILDINGS.

- a) Educational development shall provide 40% of their plot area for the purpose of playground for students. ~~The same may be provided below the stilt, terrace as well as in one side & rear open space.~~ This provision shall not apply where playgrounds by way of either designations or reservations are developed adjacent to the plot of educational buildings.
- b) In addition to the class-rooms and other areas, every educational building shall be provided with:
 - i) a Tiffin room with a minimum area of 18.00 Sq.M. for every 800 students or part thereof;
 - ii) a separate tiffin room for teachers where strength of students exceeds 1,000;
 - iii) ~~a room~~ a space with drinking water facilities for every 300 students or less on each of the floors;
 - iv) Office Room;
 - v) Store room;
 - vi) Principal's Room;
 - vii) Library;
 - viii) Kitchen for mid-day meal (wherever required);
 - xi) Maximum 10% of the development rights can be allowed to be used for commercial purposes ancillary to the educational use including a branch of a bank;
 - x) Provisions of Right to Education Act, 2009 shall be complied with.

19.2 BUILDING FOR MEDICAL USE

For Hospital, Maternity Hospitals and Health Centre, Sanatorium, Multi Speciality Hospitals,

- a) Minimum area of general wards shall be 40.00Sq.M. with no side less than 5.50 M'
- b) Requirement/procedure for disposal of bio-medical waste shall be in conformity with the MoEF Regulations and as approved by the Executive Health Officer of the MCGM;
- c) ~~Maximum 10.00% of the development rights can be allowed to be used for commercial purposes ancillary to the medical use including a branch of a bank;~~

- d) The basic requirement for hospital planning shall conform to IS 12433:2001 and other relevant IS codes.

19.3 INDUSTRIAL BUILDING

In addition of provisions of these regulations, requirements prescribed under Factory Act shall be applicable.

20. PARKING REQUIREMENTS

Wherever a land is developed, parking spaces at the scale laid down as given below shall be provided.

20.1 GENERAL SPACE REQUIREMENT

a) Location:

- i) The parking spaces can be provided in basement or on a floor supported by stilts or on upper floors/podium and uncovered spaces in a plot. However, no parking spaces will be permitted in the marginal open spaces as required to be provided as per Regulation No.18.3 of these Regulations.
- ii) The deck parking inclusive of car lifts & passages thereto shall be counted in FSI.

- b) Area of Parking Space: The area of parking spaces shall be provided as given below:-

Table No.32. Maximum area to be provided for Parking Spaces.

Sr. No.	Type of Vehicle	Maximum area of parking space excluding the area required for effective maneuvering, passages, slopes/ramps, columns, car lifts etc. and excluding the area of common staircase, lift & passages thereto and also excluding the area provided in marginal open space.	Maximum area of parking space including the area required for effective maneuvering, passages, slopes/ramps, columns, car lifts etc. and excluding the area of common staircase, lift & passages thereto and also excluding the area provided in marginal open space.
1.	Light Motor Vehicle	25 Sq.M	40.00 Sq.M
2.	Transport Vehicles/ School Bus	40 Sq.M.	60.00 Sq.M

20.2 QUANTITATIVE REQUIREMENTS

- 1) The number of parking spaces for vehicle for vehicles shall be provided as given in Table No.33 below. Any fractional space of more than half shall be rounded off upward to the nearest integer.
- 2) Additional parking space, if provided, more than the requirements given in Table No.33 shall be counted in FSI.
- 3) The parking norms given in Table No.33 below includes visitors parking.
- 4) In non-residential building, where entire parking is proposed by

automatic means where vehicles are parked through a mechanical system without physical human intervention, additional parking spaces proposed beyond the requirements given in Table No.33 to the extent of 5.00% may be provided, free of FSI, as vehicle holding area under stilts or in the side and rear open spaces, if minimum distance of 3.00 M around the building is kept free of parking for proper maneuverability of vehicles.

- 5) ~~In Transit oriented Development Zone (TOD Zone) the parking requirements shall be reduced to 50% of the provisions given in Table No.33.~~
- 6) Any additional parking spaces proposed beyond the requirements given in Table No.33 above shall be counted in FSI. In such cases, any additional number of parking areas provided beyond the requirement of Table No.33 shall be counted in FSI. to the extent of 13.75 Sq.M. per unit (2.50M X 5.50 M) ~~even through if they fit in to the required parking area~~ as provided under Table No.32 of this Regulation. This may include parking spaces in stack/sunk parking floors, mechanized/puzzle parking arrangement.

Table No.33. Number of Parking Units based on type of occupancy.

Sr.No.	Occupancy	Parking Space required
1	Residential	1car parking space for every 100Sq.M built up area or part thereof.
2	For residential hotels	0.75 car parking space for every 100Sq.M built up area or part thereof.
3	For lodging establishment	0.50 car parking space for every 100Sq.M built up area or part thereof.
4	For Star Category Hotels	0.75 car parking space for every 100Sq.M of total built up area
5	Educational	1.50 car parking space for every 100Sq.M built up area of the administrative office area and public service area. 0.40 school bus parking for every 100Sq.M carpet area of class rooms.
6	Assembly and assembly halls, Convention Centre or Auditorium (including those use for educational purpose and hotels), cinemas, theaters and stadia.	6.00 car parking spaces for every 100Sq.M built up area of assembly halls or auditorium.
7	Commercial/Office Establishments.	1.00 car parking space for every 100Sq.M.of built up area
8	Retail Trade – Shops, Restaurants, Department stores etc.	0.75 car parking space for every 100 Sq.M. built up area.
9	Industrial – Factories	0.66 car parking space for every 100Sq.M. built up area subject to a minimum of 2 parking spaces One truck parking space for loading/unloading space for vehicles as specified in Sub-Regulation 20.3 of this

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		Regulation.
10	Warehouses and Godowns	One truck parking space for loading/unloading space for vehicles as specified in Sub-Regulation 20.3 of this Regulation.
11	Exhibition Centre	2.50 car parking space for every 100Sq.M of exhibition area
12	Hospitals and Medical Institutions	0.75 car parking space for every 100Sq.M of built up area One parking space for ambulance parking measuring 10.00 M x 4.00 M for hospitals or medical institutions with built up area 600Sq.M.or more.

Note: The built-up areas given in Table No.33 above shall be total built-up area of building excluding the area provided for under Regulations No.15.1.1 & 15.12 of these Regulation unless otherwise specified.

- 7) For mixed user/other permissible user in conjunction with main use in a building, car parking spaces shall be calculated according to built-up area of respective occupancies.

20.3 TRANSPORT VEHICLES

In addition to the car parking spaces provided for mercantile/commercial building like offices, markets and department stores and for industrial and storage buildings, parking spaces for transport vehicles shall be provided at the rate of one space for each 2,000Sq.m.of built-up area or fraction thereof exceeding the first 400.00Sq.M of built-up area. The space shall not be less than 3.75 M x 7.50 M in size and more than 6 such spaces need not be insisted upon.

20.4 GENERAL REQUIREMENTS

- a) The parking area as specified in Table No.32 and Table No.33 shall be provided and marked on plan. Area proposed exceeding the requirement shall be counted in FSI.
- b) The clear height of parking floor **below the beam** shall not exceed 2.40 M. However, additional height upto 4.20 M may be permitted for allowing stack/sunk parking floors. For heavy vehicle parking, height may be permitted upto 4.50 M.
- c) Parking spaces shall be paved and clearly marked for difference type of vehicles.
- d) Off- street parking space must have adequate vehicular access to a street only through entry and exit of the plot.
- e) **Parking in stilts:** When parking in stilt is proposed, the access to stilt parking shall not be provided directly from road to each road fronting parking space but must be through the entry and exit of the plot, through open spaces of building. No parking in stilt shall be directly accessible from the public road through ramp.
- f) **Car lifts :** Access to car lift shall not be derived directly from public

road but through open space of building through the entry and exit of the plot. Provision for number of car lift shall conform to the requirement of Regulations No.18.6.8 (b) of these Regulations.

- g) **Ramps for Basement Parking:** Ramps for parking in basements shall conform to be requirements of Regulation No.18.7.3 of these Regulations.

20.5 UNDERGROUND PARKING BELOW RECREATIONAL OPEN SPACES

Underground public parking shall be allowed below the lands reserved or designated for Recreational Open spaces and to be used at one or more levels below the ground subject to the conditions as may be prescribed by the Municipal Commissioner.

The area to the extent of 10.00 M along the roadside and within the boundary of the aforesaid reserved and designated Recreational Open Spaces may be used for the purpose of ingress and egress to the underground parking facility. The protruded part of ingress/egress for the underground parking facility shall not occupy more than 100.00Sq.M. of land area of such recreational open space.

20.6 COMMON PARKING SPACE

If the total parking space as required by these Regulations is provided by a group of property owners for their mutual benefit within a distance 500 meters from their property, such common use of space for parking may be construed as meeting the off-street parking requirements under these Regulations subject to the approval of the Commissioner. If such common parking space is proposed for a group of buildings, the owners of such buildings shall submit a layout thereof and also a registered undertaking stating that the area earmarked for the parking space will not be built upon and will be utilized for parking purpose only. A separate record of such parking spaces shall maintain in order to avoid duplication of claiming same parking spaces multiple proposal.

20.7 MULTI LEVEL CAR PARKING/MECHANIZED PARKING/PUZZLE PARKING

When Multi Level Public Car Parking is proposed on a plot as independent activity for commercial public parking facility, the same shall considered with volume to plot ratio. The parameters of FSI shall not be made applicable for the same. The maximum volume to plot ratio shall be 12.0, subject to condition that it satisfies fire and other requirement of these Regulations. Such public purpose parking lot will be permitted on plots fronting roads not less than 18.30 M in width. 10.00% of such ~~area~~ **volume to plot area ratio** may be allowed to be used for commercial purposes.

21. HELIPAD ON BUILDING

Helipad shall be allowed on the rooftop terrace or such cantilevered structure for personal /private use subject to following.

- i) The location, size & elevation of the helipad shall be according to the regulations prescribed by the Ministry of Civil Aviation &

- Director General of Civil Aviation (DGCA).
- ii) While constructing helipad on existing buildings, the structural stability certificate from the competent structural engineer shall be submitted.
 - iii) The access to the helipad from the building shall be provided from inside the building. The entry door to terrace shall have minimum 4 hours fire resistance.
 - iv) Necessary provisions for fire fighting as prescribed by DGCA/CFO for helipads shall be provided.
 - v) Fuelling facilities shall not be provided at helipad atop buildings.
 - vi) The cantilever structure, if used for helipad shall maintain a distance of 4.50 M from the plot boundary.
 - vii) In the case of emergency and for public purpose requirements, unrestricted access shall be made available to helipads for landing and takeoff as required by the MCGM and other government agencies.

22. PUBLIC SANITARY CONVENIENCE (PSC BLOCKS)/ TOILETS

The PSC shall be constructed, maintained and made available for general public use on all plots which are reserved/ ~~designated~~ for any public purpose in the Proposed Land Use Plan and shall also be provided in all Public Building in the following manner:

- i) The location of PSC shall be such that the toilets are accessible to general public use.
- ii) The toilets shall be maintained by the user of the plot.
- iii) For plots having reservation/ ~~designation~~ area more than 2,500sq.mt., minimum 2 toilets and 2 urinals each for Ladies and Gents shall be constructed.
- iv) For plots having reservation/ designation area less than 2,500sq.mt. 1 toilets and 1 urinal each for Ladies and Gents shall be constructed.
- v) Availability of PSC shall be displayed such that it is clearly seen from public street.
- vi) ~~The PCS Block may be permitted in front set back for easy accessibility.~~

23. TEMPORARY CONSTRUCTIONS

The Commissioner may grant permission for temporary construction for period not exceeding six month at a time not exceeding for a period of three years in aggregate. Such permission may be given for the construction of the following:

- a) Structures for protection from the rain or covering of the terrace during the monsoon only.
- b) Pandals for fairs, ceremonies, religious function etc.
- c) Temporary structures for godowns/ storage of construction materials within the site.
- d) Temporary site offices and watchmen chowkies within the site only during the phase of construction of the main building.
- e) ~~Temporary on-site ready mix concrete plant on sites having area greater than 4,000 sq.mt. to be retained~~
- f) Structure for exhibitions/ circus etc.
- g) Structure for storage of machinery, before installation, for factories in industrial lands within the site.
- h) Structure for ancillary works for quarrying operations if permitted, in conforming zones.

- i) Milk booths and telephone booths.
- j) Transit accommodation for persons to be rehabilitated in new construction.
- k) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings.
- l) For plots having area more than 2,000 sq.mt. temporary ready-mix concrete plant may be allowed only at construction site for which permission has been granted under these Regulations.

m) show flats and sales office

n) labour hutments during construction

Provided that temporary constructions for structures, etc mentioned at c), d), e), j), k) ~~and l)~~, m), and n) may be permitted to be continued temporarily by the Commissioner but in any case not beyond completion of construction of the main structure or building, and that structure in j) may be continued on annual renewable basis by the Commissioner beyond a period of three years.

24. **SIGNS AND OUTDOOR DISPLAY STRUCTURES**

- a) Display of advertising signs and outdoor display structures on building and land shall be in accordance with the policy of MCGM if any or otherwise it shall be in accordance with Part X-Section 2, Signs and Outdoor Display Structural, National Building Code of India as amended from time to time.
- b) ~~No~~-Advertising sign or outdoor display structure shall be permitted on buildings of architectural, aesthetically, historical or heritage importance. with prior permission of heritage committee-
- c) In no case the display structure on buildings shall exceeds the height prescribed by the Civil Aviation Authority.

25. **OTHER RESTRICTIONS**

Distance from electricity lines. No construction shall be permitted on a site within the distance stated below from any overhead electricity High Tension Line:

Table No.34. Distance to be observed from High Tension Electricity Lines for any construction.

Sr. No.	Type of High Tension Line	Vertical Distance	Horizontal Distance
(a)	Low and medium voltage lines and service lines	2.50 M	1.20 M
(b)	High Voltage lines upto and including 33,000 V.	3.70 M	2.00 M
(c)	Extra High voltage beyond 33,000 V.	3.70 M (Plus 0.30 M for every additional 33,000 V or part thereof)	2.00 M (Plus 0.30 M for every 33,000 V or part thereof)

Explanation:- The minimum clearance above shall be measured from the maximum sag for vertical clearance and maximum deflection due to wind pressure for horizontal clearance.

26. **GAOTHAN/ KOLIWADA**

26.1 DEVELOPMENT IN GAOTHAN / KOLIWADA FOR PLOTS FRONTING ON ROADS BELOW 9.00 M MINIMUM WIDTH

For Development of any property in gaothan/ koliwada areas on plots fronting roads below 9.00 M in width, the permissible development shall be as follows.

- a) Height shall be restricted to ground plus three storey or maximum 12.00 M whichever is more.
- b) The ground coverage of the structure shall be restricted to 75.00% of the plot area.
- c) The marginal open space may be used for laying drainage lines.
- d) One car park per plot having area more than 250.00 sq.mt. shall be provided if motorable access is available.

26.2 DEVELOPMENT IN GAOTHAN/ KOLIWADA FOR PLOTS FRONTING ON ROADS WIDTH 9.00 M ABOVE

- a) For Development of any property in gaothan/ koliwada areas on plots fronting road width 9.00 M and above, the permissible development shall be in accordance with 26.1 above or the zonal permissible FSI which ever is more.
- b) If the development is proposed with zonal permissible FSI, it shall comply with all the requirements of these Regulations.

26.3 SET BACKS IN GAOTHAN/ KOLIWADA:

Building setbacks in Gaothan/ Koliwada areas shall be as given below except for development under Regulation No.26.2 (b):

Table No.35. Front Set- Back from street line/plot boundary (in meters) in Gaothan/ Koliwada.

Sr.No.	Location of Plot	Front Set Back
1.	Streets less than 6.00 M	Nil, subject minimum of 2.25 M from the centre line of the access street.
2.	Streets 6.00 M and more and less than 9.00 M	1.00M from plot boundary
3.	Streets 9.00 M and more	1.50M from plot boundary.

Note: The front set back as given in Table No.35 above shall be kept free from any encumbrances and shall be made available for traffic circulation. No. compound wall shall be constructed for buildings proposed under this Regulations except for development under Regulation No.26.2 (b).

26.4 FEATURES PERMITTED IN MARGINAL OPEN SPACES IN GAOTHAN/ KOLIWADA AREAS

- (A) For plots larger than 250 Sq.M.

A chajja, cornice, weather shade, sun-breaker; at lintel level only projecting not more than 0.60 M from the face of the building shall be allowed. No chajja, cornice, whether shade, sun-breaker etc. shall reduce the width of the required side open space to less than ~~1.50 M.~~ **0.60 M.** However, no projection shall be permitted within road line.

- B) For plots smaller than 250 sq.mts.

A chajja, cornice, weather shade, sun-breaker; at lintel level only projecting not more than 0.30 M from the face of the building shall be permitted. No chajja, cornice, whether shade, sun-breaker etc.

shall reduce the width of the required side open space to less than ~~0.90 M~~ 0.30 M. However, no projection shall be permitted within the road line.